

SUMMARY



Date considered: 24 June 2021

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 8 years, reduced from 12 years on appeal.

Test for release

2. Before it could direct release, the Board had to be satisfied that it is no longer necessary for the protection of the public that the offender should be confined.

Decision

3. The Board was satisfied on this matter, and directed release subject to licence conditions.

Reasons for decision

4. In reaching its decision, the Board considered:
 - a) the circumstances of the index offence, and any offending history;
 - b) formal risk assessments prepared on the prisoner;
 - c) the prisoner'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 had been at National Top End and the Open Estate for a combined period of several years and had undertaken a substantial number of Unescorted Day Releases without incident, as well as a limited but successful number of periods of home leave. The Tribunal noted the substantial amount of contact the offender had with their supervising officer and their positive feedback on the level of insight shown by the offender into their offending behaviour. There were already extensive community supports in place for the offender, including a support worker and Offender Management Unit (OMU) officers whom they had met, alongside contact and a safeguarding plan with outside support organisations. Consideration was given to whether further community testing was required, however the Tribunal was not persuaded that this was merited, particularly when considering this against the test for continued confinement and the extensive community access already undertaken by the offender without incident.
6. The supervising officer's view was that the offender's risks could be managed in the community subject to the robust risk management plan in place, which included regular supervision contact with social work, the OMU, a support worker and interaction with outside support organisations. Given the offender's risk

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assessments and the assessed lack of imminence of their risk, the Tribunal concluded that their risks could be safely managed in the community subject to the robust risk management in place and that the test for continued confinement had not been met. In reaching this conclusion, the Tribunal accepted the supervising officer's evidence that those factors which would increase the imminence of the offender's risk could be managed via the risk management plan. The Tribunal had regard to the offender's positive engagement with their supervising officer.