

DECISION SUMMARY



Date considered: 02 November 2023

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 3 years and 9 months.

Test for release

2. Before it could direct release, the panel 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 panel was satisfied on this matter, and directed release subject to licence conditions.

Reasons for decision

4. In reaching its decision, the panel 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 is now at the end of their life, they can no longer be cared for in prison and need specialist hospital and preferably hospice care. The medical and other reports confirm their diagnosis and prognosis outlining the rapid deterioration in their physical and mental health. In these circumstances they should be released on parole under the supervision of the community based social worker and any relevant hospital staff.
6. Prison based social work (PBSW) consider that the offender's deteriorating health could be viewed as a protective factor with regard to the risk of harm. In recognition of their rapidly deteriorating health and current evidence, the Board considered the offender's assessed level or risk. This is corroborated within the current Risk Management Plan and in conjunction with prison and community based social work assessed level of risk.
7. It is agreed between CBSW, Psychology, PBSW and other relevant professionals involved at the Risk Management Team that the offender's release is supported at this time.