

DECISION SUMMARY



Date considered: 04 September 2023

Sentence

1. The offender is serving an extended sentence of 34 months, comprised of a custodial term of 22 months and an extended period of supervision on licence of 12 months.

Test for release

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

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3. The panel was not 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 was released from the custodial part of their extended sentence, after serving half of it, in November 2021. They were subsequently recalled to custody in December 2022.
6. The panel accepts that whilst in the community the offender had complied reasonably well with their licence conditions, although they had struggled to always be fully open and honest with their social workers about their index offending.
7. Since being recalled to custody the panel accept that the offender has maintained a positive mindset and does not present any management difficulties. The offender has not undertaken any significant offence focused work, however the panel accept that whilst in the community and under licence conditions, there was no evidence of any return to offending behaviour.
8. The Community Based Social Worker stated to the panel that whilst there remain concerns about the offender's ability to comply with certain aspects of their supervision and licence, there are no concerns about future victims being placed at risk of serious harm by them at this time. The panel attach considerable weight

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to the evidence on this point and are not satisfied that it is necessary for the protection of the public from serious harm that the offender should be confined. The panel accordingly direct his release, subject to licence conditions.

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