

DECISION SUMMARY



Date considered: 04 September 2023

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 10 years.

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.
1. The offender was released on licence in 2017 and returned to custody in 2021. They were recalled after 4 years having been charged with an offence and failing to notify their supervising officer of their arrest. The offender ultimately pled guilty and was admonished when they appeared at court in May this year.
2. Since their recall to custody, the offender has been closely monitored and has evidenced that they appear to be managing their risk factors. They are reported to engage fully with the prison regime and have not accrued any misconduct reports during the review period nor have they been subject to any mandatory drug tests.
3. The offender acknowledged the reasons for their recall to custody as a bad error of judgement and poor decision making. They have not been involved in any incidents of violence since their recall almost 2 years ago. They appear to recognise the mistakes they have made and what they must do going forward to succeed in the community.

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4. Both the prison and community based social workers are in agreement that the proposed risk management plan is sufficiently robust to manage the offenders' risk in the community.
5. The offender was in the community for 10 years prior to their first recall to custody. In the circumstances, the panel concurs with the views of social work and unanimously agrees their release should be directed at this time subject to the licence conditions previously intimated.