

## DECISION SUMMARY



**Date considered:** 05 September 2023

### Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 18 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.
5. The panel is concerned about the serious nature of the index offence and the offender's limited but not insignificant previous offending, whilst the panel acknowledges the historic nature of same.
6. The panel attached weight to the prison based social worker and community based social worker reports and their oral evidence that in light of the applicable test they were both supportive of the offender's release at this stage. The panel was concerned about the nature of the misconduct report from 2017 which resulted in a further conviction in 2018. However, since that incident, the offender has moved on and progressed through the prison estate. They have spent a considerable period at the National Top End and been tested through community access both there and presently at the Open Estate through their community work placement and home leaves. No concerns have been raised with regards to their compliance.
7. The panel considered the protective factors in place for the offender's release as well as their offer of employment. The panel also considered through the offender's oral evidence their risk factors in the community. However, these matters can be monitored through additional licence conditions and a robust risk management plan.

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8. The panel acknowledges the offender's assessed level of risk. In all of the circumstances of this case and an overall assessment of risk given the support of his release by the social workers, their successful community testing, their assessed level of risk and their compliance for a significant period of time, the panel concluded that it was no longer necessary for the protection of the public that the offender remains confined. The panel notes that the offender is aware of the consequences of being a life sentence prisoner if they breach their licence conditions or do not engage with supervision.