

## DECISION SUMMARY



**Date considered:** 06 October 2023

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 12 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. Although the offender's conduct before their recall has caused concern, the majority felt that, on balance they have the ability to comply with the regime that will require to be put in place to prevent them from getting into difficulty in the community. Reassurance has been sought from those responsible for the offender's supervision that care will be taken to ensure that compliance does indeed take place.
6. There has been no suggestion of any violent behaviour of any kind at any point during the offender's release or since their recall to custody. The majority is satisfied that it is no longer necessary for the protection of the public that the offender remain in custody and therefore granted release on licence conditions.
7. The minority is not satisfied that it is no longer necessary for the protection of the public that the offender remain in custody. The offender has demonstrated a tendency towards maladaptive coping strategies indicating that they may have difficulty in coping with pressures in the community. If the offender resumes risk taking behaviour while in the community then they could present a danger to the public.