

DECISION SUMMARY



Date considered: 08 June 2023

Sentence

1. The offender is serving an extended sentence of 9 years and 2 months, comprised of a custodial term of 4 years and 2 months and an extended period of supervision on licence of 5 years.

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.

Decision

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.
1. The Board considered the offender's assessed level of risk. The Board also considered the harm caused by the index offence both to the direct victim of their contact offending but also to those unknown victims of abuse.
2. The panel had to carefully consider whether or not the offender's continued confinement was necessary to protect the public from the serious harm the offender could pose. The panel considered the proposed risk management plan in place and was convinced that whilst it may have been reasonable for the offender to stay in prison in terms of the risk that they may present, it was not necessary. In reaching that conclusion the panel placed weight on a number of factors all relating to the external controls which will be in place through the risk management plan.
3. There will be a high level of monitoring of their behaviour and presentation on release.

DECISION SUMMARY

4. The offender's risk factors will all be closely monitored through various means. A number of professionals will be involved. All professionals took the view that in terms of further offending, there would be a build-up. The panel considered that there were sufficient management strategies in place to ensure any emerging risk factors would be noticed. There is sufficient support in place.
5. The panel considered the community based social workers' evidence to be persuasive. They were able to articulate clearly the concerns of professionals, whilst also giving the panel confidence that the offender can be managed in the community.
6. The panel therefore concluded that it was not necessary for the offender to remain in custody.

DECISION SUMMARY