

SUMMARY



Date considered: 09 March 2023

Sentence

1. The offender is serving an extended sentence of 16 Years and 11 months, comprised of a custodial term of 9 years and 11 months and an extended period of supervision on licence of 7 years.

Test for release

2. Before it could direct release, the Tribunal 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 Tribunal was not satisfied on this matter, and directed release subject to licence conditions.

Reasons for decision

4. In reaching its decision, the Tribunal 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 recalled to custody in October 2019 having been released previously in August 2019. They were eventually returned to custody in January 2020 having been unlawfully at large from the date when their licence was revoked. The offender was previously released into the community in August 2014 and was at liberty for almost 5 years prior to being recalled to custody
6. Since their most recent recall to custody, the offender has completed all identified programme work and it is reported that they have made good progress. They have no further outstanding programme requirements. The offender conforms to the prison regime and there is no adverse intelligence reported.
7. In evidence, the offender demonstrated an insight into where and why they failed in the past. Going forward, they expressed a desire to succeed in the community. It is highly significant that there is no evidence of the offender having further offended whilst at liberty despite previous recalls to custody. It is also significant that a release address has been approved by their supervising officer and also by Children and Families social work.

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8. Neither the prison-based nor the community-based social worker recommends the offender's release at this juncture. Citing concern in relation to their motivation to adhere to community supervision, and both recommend that they progress to conditions of lesser security prior to release.
9. The Board however, must have regard to the test for release and accordingly unanimously agrees that the offender meets that test and that it is no longer necessary for the protection of the public from serious harm that they remain confined in custody. Accordingly, the Board directs the offender's release subject to the licence conditions previously intimated.