

DECISION SUMMARY



Date considered: 21 July 2023

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 13 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 reports and evidence of both the Prison Based Social Worker and the Community Based Social Worker was clear that the risk posed by the offender was manageable in the community notwithstanding that they had not been tested in the Open Estate. Both witnesses gave cogent evidence that there had been an extensive exposure to the community during the offender's work placement. It was also considered that the offender had exhibited a significantly improved attitude such that there have been no adverse reports during the reporting period.
6. The panel considered that the recommendation of both social workers is justified by the evidence. The panel is mindful that the offender had served a lengthy period beyond the thirteen year punishment part. Giving careful consideration to all the circumstances the panel considered that the risk management plan is sufficiently robust to be capable of managing the risk posed. The panel noted that the offender had engaged with the Supervising Officer during the review period. The offender expressed their understanding of any non-compliance in the community and the impact recall would have on them. In the result, the panel accepted that it is no longer necessary for the protection of the public that that the offender continues to be confined and directed release subject to licence conditions.