

DECISION SUMMARY



Date considered: 25 July 2023

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 10 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 Tribunal are mindful that the offender's punishment part of their sentence expired in 2008, and that anxious scrutiny is required in relation to their ongoing detention.
6. The offender committed a serious, violent, offence. The panel considered the offender's risk factors and attempts by the offender to mitigate these factors including seeking appropriate advice from professionals. After some initial difficulties in custody, the offender been of good behaviour in prison for a significant period of time. They have progressed to the open estate where they have had the opportunity to be tested in the community. There have been no suspected breaches and no concerns raised about the offender's conduct or behaviour. There has been no violence.
7. In their responses to the panel, the offender acknowledged their significant risk factors and demonstrated insight into these. They had insight into the fact that they would be subject to supervision and licence conditions if released and was willing to comply with any restrictions placed upon them. They have now had sufficient testing in the community to satisfy the panel that it is no longer necessary for the protection of the public that they should be confined.

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8. Accordingly, the Board directed release on licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community