

DECISION SUMMARY



Date considered: 26 October 2023

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 14 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.

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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 offender committed a very serious violent index offence. They have one minor previous conviction but have incurred three further convictions during this sentence, albeit these did not involve violence. The offender has completed programmes in custody, receiving positive post programme reports. They progressed to the Open Estate in 2023 and spent several months there, having previously been located at National Top End since 2019.
6. The offender has now completed 9 periods of home leave. On the whole their home leaves have passed without incident. They have also undertaken a community work placement since March 2023, receiving positive reports from the provider and an offer of employment on release. The only negative development is the Adverse Circumstance Report (ACR) of August 2023, which involved the offender failing to disclose information to social work. Whilst the panel was very concerned about this ACR and the poor decision-making this displayed, it noted the evidence of Prison Based Social Worker (PBSW) and the Community Based Social worker (CBSW) that this did not change their recommendations for release. Both stated that the offender had accepted responsibility for this ACR and had responded positively to discussions since, with them appearing to understand the importance of being fully open and honest

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with social work in future and the severe consequences that will result if they are not.

7. The offender appears to have done well at the Open Estate. They have reasonably developed release plans with prospects for employment and a stable release address. In concurring with the social work recommendations for release, the panel noted the CBSW evidence that there would now be no leeway for the offender in terms of complying with their licence conditions and that any concerns would be reported immediately to the Board. The panel also noted that the offender had encountered past negative peers on their community access but dealt with this appropriately and reported this contact to their CBSW.
8. The offender provided evidence at the hearing, in which they displayed insight into their risk factors and how to manage them. The offender appeared to be receptive to any additional licence conditions the panel felt were necessary to manage their risks in the community. Overall the panel was satisfied that it was no longer necessary for the protection of the public that the offender remained confined.
9. The panel fixed licence conditions for the offender's release.

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