

## DECISION SUMMARY



**Date considered:** 31 January 2024

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 12 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 offender committed an extremely serious and violent offence. They have demonstrated that they are capable of causing a serious risk of harm. The offender has also had a number of previous periods of release on licence, all of which have resulted in their recall to custody.
6. During the review period, however, the offender has had significant periods of community access, all of which have gone without incident. They have shown the ability to comply with temporary licence conditions. They have worked on building up a relationship with their Community Based Social Worker. They have stated an intention to be open and honest with social workers involved in their management on licence. Both the Community-based and Prison-Based Social Workers are of the view that such risk as is posed by the offender is manageable in the community.
7. The offender has not demonstrated any violent behaviour for some considerable time. The panel considered the offender's risk and assessed that they still lack some insight in this regard. The panel is, however, satisfied that these risks are capable of being managed in the community by the imposition of suitable licence conditions. The panel notes that the offender will likely be required to undertake offence focused work in the community to understand and manage their risks.

## **DECISION SUMMARY**

8. The panel is firmly of the view that the offender's success in the community will be largely determined by their willingness to be open and honest with social workers and by their compliance with licence conditions. The offender recognises that complacency led to their previous recalls. The responsibility lies with the offender to regularly remind themselves of the need for them to comply with supervision and licence conditions. They should also keep in mind that failure to comply is likely to lead to a further recall to custody.

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