

DECISION SUMMARY



Date considered: 11 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 panel had some concerns that the offender had not been tested again at the Open Estate prior to their release as recommended by their social workers. In particular, the evidence that they can consistently abstain from alcohol consumption in the community over a sustained period of time is currently limited. However, the panel considered that the risk of serious harm which the offender presents is not currently significant and it therefore directed their release. In coming to this decision the panel fully took into account the social workers' recommendations.
6. The offender presented well in the hearing. It is obvious that they have undergone a very significant change in custody since their last recall. The offender undertook programme work and therapy for trauma. They were able to articulate the learning from their engagement in the programme work and provided evidence which demonstrated to the panel that they are capable of implementing the skills and strategies learned in custody on this occasion when needed.
7. The offender was open and honest in evidence and the panel had confidence that they would continue to be open and honest with their supervising officer in the community. Their insight into the risk they pose was good.

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8. The panel agreed with the offender that a further period at the Open Estate was unlikely to provide more evidence than is already available to the Board. The panel considered that the likelihood of the offender using violence and causing serious harm was low.
9. In all the circumstances the panel considered that the test for release was met and it released the offender on licence conditions.