

DECISION SUMMARY



Date considered: 19 February 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 was convicted of murder and sentenced to life imprisonment with a punishment part of 12 years. They were released on licence in 2021. Their licence was revoked in 2023 and they were returned to custody.
6. The offender was charged with further offences and subsequently acquitted. The panel considered that the offender had demonstrated poor decision making and a lack of consequential thinking.
7. Both Prison Based Social Worker (PBSW) and CBSW supported the offender's release at this time. The panel accepted their evidence. It was indicated that the matters which led to the recall to custody were concerning but do not indicate that they presented an imminent risk of serious harm.
8. The impact of the offender making poor decisions and not engaging fully with supervision has been reflected in the offender's assessed level of risk. There has been a period of reflection by the offender and further discussions. On release there would be more frequent supervision contact. The CBSW considered that the offender was capable of engaging with Licence Conditions (LCs) and the proposed Risk Management Plan (RMP). Their engagement with the RMP in place had been very good until shortly prior to their recall. The

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offender's insight gave the CBSW confidence that they could work with the offender. There was more awareness for monitoring of particular areas in the future. The offender had previously made progress in the community including obtaining employment and their tenancy, which they appear keen to continue with on release.

9. Having regard to the above factors, the panel was satisfied that it was no longer necessary for the protection of the public that the offender should continue to be confined and directed their release subject to the previously intimated LCs