

## DECISION SUMMARY



**Date considered:** 20 March 2024

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 13 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 a very serious index offence over 30 years ago, which the trial judge described as a brutal and callous crime. The offender has been released and recalled to custody twice, with them spending significant periods in the community on both occasions. Since their latest recall, they have incurred two misconduct reports. However, neither report involved violence and the period since their last parole review has been stable, with them incurring no further misconduct reports and engaging proactively and positively with the regime and supports in custody, including social work. Furthermore, the offender appears to have reflected on the circumstances that led to their recalls and what they would do differently if released.
6. Both of the offender's social workers provided clear and well-reasoned evidence at the hearing, in which they recommended the offender's release based on their previous good engagement with supervision in the community and positive engagement with them during the last review period. The community based social worker was clear in stating that they had confidence in the offender's ability to engage well, and be open and honest, with them in supervision.
7. Although both social workers recognised the risk that the offender may pose within intimate partner relationships, both were clear in their evidence that the proposed licence conditions would be sufficient to manage their risks in this area.

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The panel placed considerable weight on the evidence of both social workers and was persuaded by their recommendations and reasons.

8. The offender presented well at the hearing, with them explaining clearly the changes they have made during this review period, their reflections on their recalls and what they would do differently in these situations in future. The panel considered that the offender's positive engagement with supports in custody over this review period and previous evidence of them engaging well with supervision indicated that their continued confinement was no longer necessary and that their risks could be managed in the community and therefore directed release.
9. The panel fixed licence conditions for the offender which it considered were lawful, necessary and proportionate to manage their risks in the community.