

DECISION SUMMARY



Date considered: 05 April 2024

Sentence

1. The offender is serving an extended sentence of 11 years 6 months, comprised of a custodial term of 6 years 6 months and an extended period of supervision on licence of 5 years.

Test for release

2. Before it could direct release, the panel had to consider whether it remained necessary for the protection of the public from serious harm that the offender should be confined.

Decision

3. The panel was not 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 was satisfied that, in their index offending, the offender caused serious harm to their victims in terms of the Risk Management Authority's (RMA's) definition; harmful behaviour of a violent or sexual nature which is life threatening and/or traumatic and from which the victims' recovery, whether physical or psychological may reasonably be expected to be difficult or impossible.
6. The Panel considered the offender's assessed level of risk.
7. However, the Panel was also mindful of the professional witnesses' evidence to it at the hearing and the offender's own evidence.
8. The Panel carefully considered the social work witnesses' evidence to it, particularly that of the Community Based Social Worker and was persuaded of their ability to manage the offender safely in the community at this time with the assistance of previously intimated licence conditions and robust Community Risk Management Plan.

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9. In reaching its decision the Panel noted the offender's acknowledgement of their risks and needs and stated intention to abide fully by licence conditions.
10. The Panel considered the licence conditions imposed to be lawful, necessary, and proportionate to the offender's level of risk in the community

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