

DECISION SUMMARY



Date considered: 05 May 2023

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 5 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 four charges of assault and robbery. They were made subject to an Order for Lifelong Restriction. The offender has an extensive history of offending. In 2003, they were convicted of eight charges of assault and robbery, and sentenced to 12 years' imprisonment.
6. The Panel accepted the evidence of the Prison Based Social Worker (PBSW) and Community Based Social Workers (CBSW) in support of the offender's release.
7. The PBSW noted that the offender has been self-managing their risk very well. Their community access has been positive and there have been no concerns in relation to their engagement with social work or compliance with licence conditions. The community facing Risk Management Plan (RMP) has been completed and the PBSW considered it to be very thorough with appropriate strategies to manage the risk factors.
8. The CBSW stated that they were satisfied that the RMP outlined within their report was sufficient to mitigate the risks presented by the offender. They also considered that any relapse would be likely to be picked up quickly and, if required, they would look to increase support from CBSW and recovery services.

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9. The offender presented as insightful in relation to their offending behaviour and the triggers for this. They have now accessed significant periods of home leave with no concerns raised.
10. In reaching the decision, the Panel acknowledged that there was an amended RMP which had been submitted to the Risk Management Authority (RMA) although had not yet been approved. The Panel considered this document in conjunction with the oral and written evidence. All three social workers supported the offender's release at this time.
11. 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 licence conditions.

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