

DECISION SUMMARY



Date considered: 28 May 2024

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 3 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 indecent assault and two charges of lewd, indecent and libidinous practices and behaviour. They have a history of offending behaviour.
6. The panel accepted the written evidence of the prison based social worker and the written and oral evidence of the community based social worker (CBSW) in support of the offender's release. The CBSW presented with an in depth knowledge of the offender's case which was reflected in their well-reasoned and clear oral evidence. They considered that there was sufficient evidence to support the offender's release at this time. The offender has received positive reports from their time at HMP Castle Huntly and during community access including a significant number of home leaves and unescorted day releases. There have been no concerns in relation to their engagement with CBSW. They have demonstrated compliance with temporary licence conditions. There is a community facing risk management plan.
7. The panel considered that the offender presented well. They answered questions openly and had insight. They have sought support from professionals when required. The offender is keen to be in the community. The offender is committed to their work which provides structure to their day. The offender

DECISION SUMMARY

indicated their willingness to engage with professionals and comply with licence conditions.

8. 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 licence conditions.