

## DECISION SUMMARY



**Date considered:** 06 September 2024

### Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 14 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.
1. The offender was released on life licence in April 2023 and their licence was revoked in June 2024. Prior to their release, they had been in custody since the date of their conviction in 1985. The offender's recall resulted from their lack of honesty regarding their abuse of substances and a lack of honesty regarding personal thoughts.
2. In evidence, the community based social worker, who is supportive of the offender's release, told the panel that the submission of the breach report was more of a preventative measure to avoid any escalation of the offender's behaviour. The community based social worker also observed that aside from the issues which arose during a supervision appointment earlier this year, there were no other issues with hostility. In addition, despite the fact the offender continued to abuse substances for several months whilst in the community, there were no issues arising as a consequence of this. In terms of supervision, the community based social worker confirmed that the offender was engaging and no further offences were committed whilst they were in the community.
3. The offender feels very strongly that their honesty has, to an extent, affected their progression and that they could not be entirely honest following their release last

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year. The community based social worker opined that now they were aware of what the offender had been doing in the community, there is a platform for the offender to be completely honest with them.

4. It was clear during the hearing that the offender and the community based social worker had a strong professional relationship.
5. There is a risk management plan in place for the offender. They will be monitored by the relevant parties who are aware and in agreement with the community based social worker's recommendation. The prison based social worker, also is supportive of the offender's release.
6. The panel agrees that the offender has an insight into their personality traits and the factors which led to their offending behaviour. They expressed themselves candidly during the hearing and conveyed an understanding of the issues which led to their recall to custody.
7. In all of the circumstances, the panel is unanimously agreed that it is no longer necessary for the protection of the public that the offender remains confined in custody at this time. Their release is therefore directed subject to the licence conditions previously intimated.

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