

DECISION SUMMARY



Date considered: 25 July 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 was recalled to custody in May 2024 after spending over five years in the community, on the basis that their risk was no longer manageable. The breach report sets out numerous breaches of licence conditions.
6. The panel heard evidence from a senior Community Based Social Worker (CBSW) at the hearing. It appeared from the CBSW's evidence that the offender's various supervising officers throughout their time in the community had not been liaising closely with services the offender was expected to engage with despite concerns being raised about the offender's presentation in supervision and laterally their inconsistent engagement with services.
7. In reaching the conclusion that the test for the offender's continued confinement was not met, the panel also considered the offender's evidence at the hearing, in which they appeared to recognise that their conduct in the community over a prolonged period was unacceptable. The offender accepted that they must engage consistently with services, be more open with their supervising officer and that they must be more proactive and motivated in terms of seeking support in future.

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8. Accordingly, the Board directed the offender's re-release on licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community.