

DECISION SUMMARY



Date considered: 25 September 2024

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 7 years 14 months.

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 committed a very serious sexual and violent index offence against a female stranger. Their previous convictions include a serious sexual and violent offence against a female known to them. They have accrued further violent convictions during this sentence, with their last conviction being in 2013. They have now been in custody for over 14 years and appear to have progressed in their sentence over the last 10 years, with them completing all identified offence focused work. They have spent a significant number months at National Top End (NTE) before progressing to HMP Castle Huntly (OE) in 2023, where they have had extensive community access by way of unescorted day releases and home leaves, all on which has passed without incident.
6. The panel considered the offender's evidence, in which they showed insight into their risk factors and how they would manage these in future. The panel noted that they have a well-developed working relationship with their Community Based Social Worker (CBSW), have built up some supports in the community and have some credible longer-term plans for release. The panel noted that over the last 10 years of their sentence the offender has not been involved in violence and there have been no concerns about risk taking behaviours for a significant period of time. The panel considered that their extensive community access from the OE without adverse incident provided good evidence of their ability to comply

DECISION SUMMARY

with licence conditions and supervision in the community. The panel also took into account the fact that there is nothing to suggest that the offender's risk factors or early warning signs relevant to their offending are currently present.

7. The offender's Prison Based Social Worker (PBSW) and CBSW both recommended their release, with both pointing to their extensive period of testing at the OE without adverse incident and the robust community Risk Management Plan (RMP) in place. The panel considered the offender's assessed level of risk and manageability in the community in the most recent RMP approved by the Risk Management Authority. The panel, taking account of this RMP, was satisfied that the robust risk management strategies outlined therein, together with stringent licence conditions would be sufficient to manage the offender's risks and concluded that their continued confinement was no longer necessary.

DECISION SUMMARY