

## DECISION SUMMARY



**Date considered:** 21 October 2024

### **Sentence**

1. The offender is serving an extended sentence of 12 years, comprised of a custodial term of 8 years and an extended period of supervision on licence of 4 years.

### **Test for release**

2. Before it could direct release, the panel had to consider whether it remains necessary for the protection of the public from serious harm that the offender should be confined.

### **Decision**

3. The panel was not 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 March 2024 having earlier been released on licence in December 2022. It was the opinion of social work that the offender's breach of licence conditions was not intentional but likely due to their impulsivity and lack of understanding of the serious implications there would be.
6. In their evidence to the panel, the offender explained their understanding of the reasons which resulted in their recall to prison. The offender confirmed that they understood they should have informed their social worker before they breached their licence conditions by staying overnight out with their home address without permission.
7. At the continued consideration, the offender was clear in their evidence that going forward, they must inform their social worker of all matters pertinent to the conditions of their licence. The offender candidly acknowledged their difficulties but gave an undertaking that they will be transparent with those tasked with their management. If the offender is unclear about anything, they will seek the assistance of their social worker. In that regard, the community based social worker told the panel they would welcome the attendance of the offender's family

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at supervision appointments so that they can explain the licence conditions clearly to them.

8. The community based social worker very helpfully provided an addendum report prior to the continued consideration in which they responded to some of the matters the panel wished clarified following the hearing in July. The community based social worker confirmed that with additional licence conditions and a robust case management plan, the offender's level of risk could be effectively managed in the community. The community based social worker supported their recommendation as do prison based social work.
9. The panel unanimously agreed that with additional licence conditions, a robust risk management plan and support, the offender's risks can be managed safely in the community and as such, it was no longer necessary for the protection of the public from serious harm that the offender remains in custody.
10. The Board directed release on licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community.

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