

DECISION SUMMARY



Date considered: 06 December 2024

Sentence

1. The offender is serving an extended sentence of 13 years and 2 months, comprised of a custodial term of 8 years and 2 months and an extended period of supervision on licence of 5 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.

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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 panel were concerned about the serious nature and circumstances surrounding the index offence, The offender's subsequent conviction for being in possession of an offensive weapon and their previous convictions for same. They had also breached bail conditions in the community. The panel agree entirely with the Trial Judge who stated that at the time of the index offence there is no doubt that the offender was a dangerous man.
6. The panel also noted the offender had received warning letters from the Board and that their recent recall to custody demonstrated behaviours that reflected significant risk factors, particularly in light of the circumstances of the index offence. The panel were concerned about the offender's lack of openness and honesty and non-compliance with regards to risk taking behaviours in the community.
7. However, the panel also acknowledged that the offender was in the community for approximately 4 years prior to being recalled to custody and that there were positive aspects in his case. Therefore, on balance in all the circumstances of this case and in light of the applicable serious harm test, given the offender did not re-offend or resort to violence/aggression, given that both the prison and

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community based social workers were supportive of the offender's re-release, and taking into account the robust Risk Management Plan and stringent licence conditions that are in place - the panel were persuaded that the offender can be re-released at this stage and that their risk could be managed.

8. The panel encourage the offender to abstain from risk taking behaviours, engage with all supports and services made available to them and to continue to make constructive use of their time in the community.