

DECISION SUMMARY



Date considered: 20 March 2025

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 committed a very serious violent index offence. Although their previous convictions included violence, the index offence represented a serious escalation in their offending behaviour. At the time of the index offence, the offender had a very poor record of compliance with community orders. The offender has now been released on licence on three occasions. On the last occasion the offender spent a period of 8 years in the community on licence, during which they are reported to have engaged well with supervision and supports and established a business. The offender was recalled to custody in 2024 after being charged with other offences.
6. The offender had been back in custody for 5 months following recall, during which time their conduct has been positive and they have used their time constructively. It was clear from the offender's evidence that they had reflected on the poor decision making and consequential thinking that led to the recall offences and appeared to have learned from this.
7. The offender's Community Based Social Worker (CBSW) gave evidence at the hearing in which they recommended release and stated that they were confident in the offender's ability to manage their own risks in the community. Whilst the

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panel noted that the CBSW had only supervised the offender in the community for a few months before their recall, the panel was persuaded that the proposed community risk management plan for re-release would be more robust. The panel was prepared to accept the CBSW's evidence that the offender's family and employment could be viewed as protective factors.

8. Given the lack of recent violence and misconduct reports, the panel was prepared to accept the CBSW's recommendation. Overall, the panel was satisfied that the offender's continued confinement was not necessary for the protection of the public.

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