

## DECISION SUMMARY



**Date considered:** 25 April 2025

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 3 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 panel is concerned about the violent and sexual nature of the index offence. This concern is compounded by the offender having a previous conviction on indictment for assault and abduction.
6. The panel acknowledges that the offender is approaching 12 years post-expiry of the punishment part of their OLR sentence and that it is appropriate that anxious scrutiny should be applied
7. The panel considers that the offender to their credit had undertaken significant community access both at the National Top End through special escorted leave, a community work placement and Unescorted Day Releases' (UDR's) and at the Open Estate (OE) through UDR's and a number of periods of home leave including several periods of 7 nights home leave most recently. The panel acknowledges that the offender's community access at the OE has been successful and that they have engaged in their supervision and complied with temporary licence conditions.
8. The panel notes and attaches weight to the fact that all professionals associated with the offender's case are supportive of their release at this stage.

## **DECISION SUMMARY**

9. The panel understands that the offender has a release address identified. The panel considers this to be a positive factor that will help to provide stability for the offender in the community.
10. The panel considers in an overall assessment of risk that it is not necessary for the protection of the public that the offender remains confined because of their successful community access testing at less secure conditions, all professionals currently support their release, they have a release address identified and the offender will be subject to a robust Risk Management Plan, strict licence conditions and monitoring.
11. The panel encourages the offender to use all supports and services made available to them in the community.

## **DECISION SUMMARY**