

DECISION SUMMARY



Date considered: 14 April 2025

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 14 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 had some concerns about the nature of the offender's breach of licence. It is not clear whether the offender was moving towards offending or not. Considering the offender's assessed level of risk and reconviction, the panel took a cautious approach.
6. Following detailed questioning of both social workers and deliberation, it was decided the panel could accept the recommendations of the social workers to release the offender.
7. The offender demonstrated insight into what is required of them in the community. Both social workers indicated that the offender had demonstrated insight into the breaches of licence and why they must adhere to the letter of their licence conditions in the future. The panel accepted this evidence and that of the offender on this point.
8. There was evidence that the offender has prosocial friends who seek to support them in the community, and further evidence that they had co-operated with the Supervising Officer when there was an earlier breach of a licence condition

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9. Both social workers provided evidence that the offender had been fully open and honest with them since their recall. Both social workers were confident that the offender had learned that they would adhere to their licence conditions at all times and that they would be open and honest with the supervising officer in the community. There was evidence of a robust management plan and clear indications that any deterioration of behaviours or licence breaches would be very firmly dealt with timeously. The panel accepted this evidence.
10. The panel determined it was unlikely that anything could be gained from the offender transferring to the open estate. The offender clearly articulated what they had already learned during offence focused work, which gave the panel confidence that they would engage meaningfully with it again on release.
11. The panel was content that the regime of supervision and monitoring recommended would be sufficient to identify any changes in the offender's behaviour.
12. In taking into account all the circumstances of the case, the panel was satisfied that it was no longer necessary for the protection of the public that the offender remained confined and directed release on the licence conditions previously intimated. The licence conditions are lawful, necessary and proportionate to manage The offender's risk in the community.

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