

DECISION SUMMARY



Date considered: 04 March 2025

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 12 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.

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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's index offence was one involving serious violence.
6. The offender did not have a pervasive history of violent offending. Whilst the offender did accrue misconduct reports in the earlier part of their life sentence and struggled intermittently, for numerous years the offender's behaviours had been positive. The offender had managed to abstain from substance misuse. Progression was put on hold due to a requirement to undertake work on their offending, but since completion of that, the offender had progressed through National Top End to the Open Estate. He had undertaken community access. All reports were positive.
7. The offender's risk factors included negative peers. The offender had been consistent in avoiding and managing those risk factors during this period of progression. The offender had completed all Offence Focused Work, and appeared to have been using the strategies which they had learnt.
8. The Community Based Social Worker has known the offender for 11 or 12 years. This is the first time they had supported the offender's release on licence. They spoke of the plan for the offender and, albeit some of the support available to the

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offender had not yet been set up, the panel accepted that it would be, and that there was support available. The panel was reassured by the risk management plan in place, and in particular the fact that during the offender's initial period of resettlement, the offender will have daily contact with the Justice Officer. The offender also had the support of their family. The panel considered that the evidence supported the position that the offender would seek support, and would turn to the Community Based Social Worker, the Justice Officer or their family to discuss any stressors. The Community Based Social Worker was able to vouch for the fact that the offender had done that during periods of home leave.

9. The Community Based Social Worker was confident that the offender would comply with the conditions of the life licence. That position is supported by the evidence that the offender had complied whilst on temporary licence. The Community Based Social Worker was able to speak to their positive relationship, and to the development of that over the last few years.
10. The offender presented as realistic in their evidence in terms of what release may be like, and the challenges that they may face. They recognised that things may be difficult and that they would have to lean on the supports available. The fact that they were insightful in that regard, and did not downplay the magnitude of a move into the community after so long in custody gave the panel confidence that they were able to recognise the challenges ahead, and were likely to speak to their support network about them. They seemed to recognise the value of the input so far from the Community Based Social Worker, the Justice Officer and other professionals. The candid manner in which they gave their evidence reassured the panel that they are likely to be upfront about any problems in the community. They provided evidence of having navigated stressful situations during community access.
11. Both social workers support the offender's release. The panel concluded that the offender had now accrued sufficient evidence to demonstrate that the offender's continued confinement was no longer necessary for the protection of the public.

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