

## DECISION SUMMARY



**Date considered:** 09 May 2025

### **Sentence**

1. The offender is serving an extended sentence of 5 years, comprised of a custodial term of 3 years and an extended period of supervision on licence of 2 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.

### **Decision**

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 offender was convicted of a number of offences. This resulted in an extended sentence being imposed by the sentencing sheriff. The offender found themselves recalled to prison after receiving earlier warnings for conduct and related dishonesty surrounding such conduct. The panel which recalled the offender to prison was satisfied that their risk could not be safely managed in the community at that time.
6. Both of the social workers, including the Community Based Social Worker (CBSW) who gave evidence to the oral hearing, currently support release. The panel agreed with the recommendation for release. The panel observed that the CBSW proposed some amendments to the licence conditions and that they suggested a different monitoring approach in the event of release.
7. Whilst the panel had no doubt that the offender was to blame for their recall in 2025, the panel noted that the offender had been managed in the community for a period of 2 years without committing any offences.

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8. In order to manage and for the offender to self-manage their risk more effectively the panel noted that the CBSW and colleagues will adopt a more robust approach in monitoring.
9. The panel noted the offender accepted responsibility for breaching the licence and that the offender outlined the lessons they had learned after being returned to prison.
10. As an extended sentence prisoner, the panel had to be satisfied that it was necessary for the protection of the public from serious harm that the offender remained confined. The panel was not satisfied and directed the offender's release accordingly.

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