

SUMMARY



Date considered: 13 September 2021

Sentence

1. The offender is serving an extended sentence of 15 years, comprised of a custodial term of ten years and an extended period of supervision on licence of five years.

Test for release

2. Before it could direct release, the Board 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 Board was not satisfied on this matter, and directed release subject to licence conditions.

Reasons for decision

4. In reaching its decision, the Board 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 on licence in the community for several years prior to their recall to custody. It was reported that they had been complying well and presented no cause for concern. Despite the circumstances of the recall matter, both community-based and prison-based social work were of the view that the offender's risks could be managed safely in the community and that it was not necessary for the protection of the public from serious harm that they remain confined in custody.
6. The Board agreed with the views of social work. The offender had pled guilty at an early diet to charges emanating from the incident which led to their recall, thus accepting responsibility for their actions. It was clear from evidence that the offender did not relish the prospect of spending any further time in custody and that they had learned from their recall. The offender expressed a determination to comply fully with all aspects of supervision in the future and to adhere rigidly to licence conditions. Accordingly, the Board direct release on licence.