

## SUMMARY



**Date considered:** 30 November 2022

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 8 years.

### **Test for release**

2. Before it could direct release, the Tribunal 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 Tribunal was satisfied on this matter, and directed release subject to licence conditions.

### **Reasons for decision**

4. In reaching its decision, the Tribunal 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 tribunal considers that the evidence in favour of releasing the offender was significant and positive. The offender has made good progress in closed conditions. They have engaged well with programme work and with all the professionals involved in their case. The offender has not been violent in custody. Some of the previous concerns about their emotional management are no longer relevant as the offender has matured and learned skills on programme work in custody.
6. There is very clear evidence that the offender poses a low risk of causing serious harm, which is not imminent. The offender's risk is not substantial unless the supportive factors breakdown in the community. The supportive factors include supervision and a care package which is immediately available to them on release.
7. The tribunal had confidence that, if any of the offender's supportive or protective factors start to break down, or their risk factors begin to escalate in the community, criminal justice social work will be alerted to this quickly as the offender will be seen numerous times a week.

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8. All of the professional involved in the offender's case supported their release.
9. In all the circumstances, the tribunal was not satisfied that it was necessary for the protection of the public that the offender remain confined and it directed their release on licence conditions which are lawful, necessary and proportionate to manage their risk.