

SUMMARY



Date considered: 30 November 2022

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 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 offender provided straightforward answers to questions at the Tribunal, demonstrating insight into their index offence and the steps they could take to avoid a similar situation arising in future. They have progressed well through both the prison and hospital system and successfully completed an extensive period of community testing. They have realistic plans for release, including a suitably assessed tenancy and a robust community risk management plan, incorporating a high level of ongoing support. They have complied well with the professionals who have managed them, and have good, well-developed relationships with their Community Based Social Workers (CBSWs). All the available evidence suggests that they will comply with their risk management plan and supports in the community.
6. All professionals involved in the offender's management, including their CBSWs are of the view that the test for their continued detention is no longer met. Given the offenders positive engagement with all professional supports, successful completion of their community access plan over an extensive period and the protective factors that exist, the Tribunal concurred with this view.

SUMMARY

7. Accordingly, the Board directed release on licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community