

SUMMARY



Date considered: 06 January 2023

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 11 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 considered that there was sufficient, credible and reliable evidence of the offender's suitability for release for it to direct it. Both social workers recommended their release. They both gave credible, reliable and thorough evidence. The tribunal found their evidence persuasive that the offender has demonstrated significant changes since they were recalled to custody. The offender has become more mature. They are able to reflect on their previous behaviour. Their insight into the harm they have caused their victims has increased. This has motivated the offender to improve their behaviour. The offender has undertaken numerous home leaves with no concerns. During this time, they have engaged openly and honestly with their community-based social worker. They have also engaged well with their prison based social worker in discussions. Both social workers were also of the view that the offender is willing and able to ask questions of professionals when they do not understand something.
6. The tribunal considered that the risk factors of substance misuse and association with negative peers remain of concern and will require to be robustly managed in the community. However, the offender has self-managed during their home leaves. They have engaged well with services. Furthermore, on release, they will be offered a great deal of support by community-based social work.

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7. The tribunal considered that the licence conditions were lawful, necessary and proportionate to manage the risk which the offender poses in the community and the accordingly directed release.