

SUMMARY



Date considered: 20 January 2023

Sentence

1. The offender is serving an extended sentence of 10 years, comprised of a custodial term of 6 years and an extended period of supervision on licence of 4 years.

Test for release

2. Before it could direct release, the Tribunal 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 Tribunal was not 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 did not consider that there was evidence that the offender poses a substantial risk of serious harm which requires them to continue to remain confined. The offender's offences occurred over a three-year period. They selected vulnerable victims. However, the offender was able to articulate the reasons for their index offence and demonstrated good insight into their risks in the tribunal.
6. The tribunal considered that the offender has strategies in place to avoid reoffending, despite not having completed programme work in custody. Furthermore, the tribunal also considered that any difficulties would be quickly identified by social work, which would limit or eliminate the potential for the offender to cause serious harm.
7. The offender is already making efforts to comply with supervision and manage their risk factors. In particular, the offender engages well with social work and with other services. The offender presented well in the hearing and was open to talking about their index offence and the motivations and triggers for it.

SUMMARY

8. In all the circumstances, the tribunal was not satisfied that it was necessary for the protection of the public from serious harm that the offender continue to be confined, and it released them on licence conditions, which are lawful, necessary and proportionate to manage their risk.