

## SUMMARY



**Date considered:** 25 August 2021

### **Sentence**

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

### **Test for release**

2. Before it could direct release, the Board 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 Board was 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 Board considered the circumstances of the offender's recall offence. It was clear that the offender's actions were fuelled by alcohol consumption. The Board also recognised that whilst the circumstances were concerning, those actions were reactive based on the offender's inebriated state at the time. The offender was reported by professionals to have reflected on this and to have taken proactive steps to reduce the likelihood of misusing alcohol again, through medication and engagement with addictions services.
6. The Board considered the evidence of both the community- and prison-based social workers to be persuasive and considered that the risk management plan in place was robust, with extensive support available to the offender. The Board also recognised that the offender had taken steps to increase their employability, and had constructive plans for release.
7. It was clear from both social workers that they considered any warning signs of substance misuse would be apparent, and the Board came to the view that the various supports in place in the community would be sufficient for those warning signs to be noticed and addressed. Sufficient safeguards were in place to allow the Board to conclude that the offender's risk was manageable.

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8. The Board also reflected on the evidence of the offender. They had proactively taken steps since recall to address what went wrong in the community, specifically their misuse of alcohol and recognised the risks, challenges and difficulties they may experience. They provided evidence of renewed coping skills, resilience, as well as an ability to open up to professionals, seek support when required and put into practice learning from offence-focussed work. The offender was both aware of the triggers and warning signs for a decline in their mental health, and how to deal with these.
9. Ultimately, in order for the Board to consider that the offender's continued confinement was necessary for the protection of the public, it required to be satisfied that the offender posed a significant risk of serious harm to the public. Aside from the recall offence, there had been no evidence of violence on their part since the index offence. The risk factors which led to the recall offences had been addressed through offence-focussed work, medication and engagement with addictions services. No risk of serious harm was indicated. The offender had continued to evidence change since their last consideration by the Board, and the evidence of both social workers referred to the offender's behaviour during the last review period as providing further evidence of a positive attitude. Taking into account all of the information in the dossier and the evidence heard at the hearing, the Board was satisfied that it was no longer necessary for the protection of the public that the offender should be confined, and therefore directed release on licence conditions.