

SUMMARY



Date considered: 13 September 2021

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 13 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 acknowledged that community-based social work (CBSW) supported release at this stage. The Board, whilst not tied with their opinions, concurred with this view.
6. The Board was concerned about the extremely serious nature of the index offence, and noted the victim impact statements received. However, the Board also had to note that the offender had not been violent for a considerable period of time, that their record did not show a propensity to violence, and that they had addressed identified offence-related issues. They had also received positive reports from the Scottish Prison Service (SPS) and social work.
7. The Board considered that community access through periods of home leave had been more limited than usual, but that there was clear evidence that the offender had built up a positive relationship with their supervising officer. As only limited home leave testing had been possible, the Board deemed it proportionate, necessary and fair to impose stringent licence conditions, any breach of which may see the offender returned to custody. The Board noted that the offender's situation would be reviewed regularly by CBSW.