

## SUMMARY



**Date considered:** 03 December 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 offender was convicted of an extremely serious index offence. They were released on parole licence in 2017; they were recalled to custody and convicted of further offences in June 2021. The Board noted that these offences were of significant concern and carefully considered the circumstances and the impact on risk and manageability in the community.
6. Although the offender acknowledged that they were not open and honest with their supervising officer when they were first recalled to custody, they explained the reason for this. They gave evidence in an open manner and showed insight into their behaviour at the time of their further offending. They showed an awareness of their risk factors. There was no suggestion of association with negative peers during their time in the community. Since their return to custody, no misconduct reports had been incurred.
7. The Board noted that both prison based and community based social work supported release on licence. Other than the further offences committed in 2021, there were no concerns about compliance and the offender had engaged well with their supervising officer in the community. They had been in the community for over four years, with no concerns in relation to violence. There was a detailed

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risk management plan in place for release. The offender indicated that they would accept support available in the community and were keen to engage with offence focused work and available supports.

8. The offender had sought support for identified issues in custody. A number of protective factors were identified in the community, including family support, accommodation and employment.
9. Prison based and community based social work were of the view that the offender's risk factors could be managed through the proposed risk management plan and licence conditions. The offender indicated that they were willing to comply with licence conditions.
10. Having regard to the above factors, the Board was satisfied that it was no longer necessary for the protection of the public that the offender should continue to be confined, and directed release subject to licence conditions which it deemed lawful, necessary and proportionate to manage such risk as the offender poses in the community.