

SUMMARY



Date considered: 29 November 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, having considered the evidence, was not satisfied that it remained necessary for the protection of the public that the offender should continue to be confined. Accordingly the offender's release was directed, on licence conditions, considered by the Board to be lawful, necessary and proportionate to manage their risks of reoffending and causing serious harm to the community on release.
6. In reaching its decision, the Board acknowledged that the offender has the capacity to cause a substantial and significant level of serious harm in their offending and that in their index offence, the harm caused by the offender was catastrophic and fatal.
7. In reaching its decision, the Board also acknowledged that the offender appeared, at this time, to be managing their identified risk factors, which had contributed to their previous offending by being open and honest with social workers, and making use of available supports. The offender had stated their intention to continue doing all of these things on release.
8. The offender had been in the Open Estate for a significant period and had managed periods of community access well. Social workers recommended the

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offender's release and were of the view that if the offender continued to behave in the same manner on release, their risks could be managed in the community.

9. The Board accepted the evidence of community based social work in respect of their views of the offender's suitability for release at this time. The Board was satisfied with the robust nature of their community risk management plan for the offender. The Board was satisfied that the offender had started the process of building the necessary relationships with those who would support them in the community.
10. The Board, on having considered all of the evidence before it, concluded that the offender's risks could be managed in the community at this time, in terms of the robust community risk management plan and licence conditions suggested by social workers. The Board therefore directed the offender's release on licence. The Board made it clear, in its decision, that any return by the offender to previous risky behaviours must be reported immediately to it.