

SUMMARY



Date considered: 14 February 2022

Sentence

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

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 index offence was extremely serious. The victim interview in the dossier made clear the significant and permanent harm that has been caused to the victim's family.
6. The offender had progressed to less secure conditions on previous occasions, but had been downgraded. It was clear that they had breached licence conditions and were dishonest about their conduct.
7. However, they had progressed back to the Open Estate (OE). This time, their home leaves had passed without incident. In evidence, the community-based social worker (CBSW) spoke of the difference in the offender's presentation and engagement. They had undertaken a number of home leaves. The CBSW spoke of the extensive package of services and supports that would be available to the offender. Both CBSW and the prison-based social worker supported release, and were of the view that it was no longer necessary for the protection of the public that the offender remain confined.
8. The Board carefully considered the evidence, and concluded that it was no longer necessary for the protection of the public that the offender remain confined. In

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reaching this decision the Board attached weight to testing at the OE, the absence of violent conduct within the prison, and the recommendations of the professionals who would monitor the offender. The Board inserted a licence condition prohibiting the offender from entering Rutherglen or Cambuslang without the prior permission of their supervising officer, which should reduce the chance that they could come into contact with the family of the victim.