

SUMMARY



Date considered: 15 February 2022

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 16 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. Prior to the offender's recall to custody they were engaging positively with supervision and there were no areas of concern. They were acquitted of the matters which led to their recall and despite some difficulties encountered with others whilst in the community, had not returned to previous negative behaviours. They had communicated regularly with their supervising officer and informed both them and Police Scotland of any issues which they felt were necessary to report. In addition, the offender continued to engage with support services as directed.
6. The supervising officer confirmed that in terms of risk, they did not consider there to be any imminence of serious harm. In evidence, they conveyed confidence in their opinion that the offender's risk could be managed safely in the community. Additionally, they opined that it was not necessary for the protection of the public that the offender should remain in custody.
7. Having heard the evidence of the offender and the supervising officer, the Board concurred with the recommendations of both prison-based and community-based social work, and directed release subject to licence conditions.