

SUMMARY



Date considered: 02 September 2022

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 12 years 6 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 Tribunal considered its decision carefully. There was credible and reliable social work and probation service evidence that the offender's risks could be managed in the community with the robust management plan proposed and it was therefore no longer necessary for the protection of the public that they remain confined.
6. The Tribunal must focus on the risks currently posed by the offender and whether those are substantial.
7. The Tribunal considered that the offender has demonstrated that they can be in the community safely on numerous overnight releases on temporary licence. Social work are confident that the offender will engage openly and honestly with them.
8. The offender is able to understand their licence conditions.
9. In the circumstances, the Tribunal agreed to direct the offender's release on licence conditions which are lawful, necessary and proportionate to manage their risk.