

## SUMMARY



**Date considered:** 18 November 2022

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 5 years.

### **Test for release**

2. Before it could direct release, the Tribunal 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 Tribunal was satisfied on this matter, and directed release subject to licence conditions.

### **Reasons for decision**

4. In reaching its decision, the Tribunal 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 starting point for the Board is the concern about the serious nature of the index offences and the offender's short but significant record of previous offending. The Board note that the offender has been in custody for an extensive period of time and they are post expiry of their tariff by approximately twenty one years. In such cases it is appropriate that the Board apply anxious scrutiny as well as an overall assessment of risk.
6. The Board note that both social workers support the offender's release at this stage. The offender has been at the Open Estate since January 2021 without incurring any adverse circumstance reports or breaches of discipline and has had community access through numerous Unescorted Day Releases (UDRs) and community work projects. The Prison Based Social Worker (PBSW) views that there is limited evidence to be gained by further UDRs to which the Board agree. The PBSW confirmed that given the intensive support package available to the offender, they supports their release at this stage. The PBSW does not believe the offender to be an imminent risk at this time. The PBSW feels that there has been progress made with regards to the offender's insight and their level of risk. This will reduce their risk of reoffending going forward.
7. The Community Based Social Worker (CBSW) detailed in their earlier report and addendum report and in their oral evidence the level of support which will be

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available to the offender upon their release. The CBSW believes that the offender has a full understanding of the proposed licence conditions at this point.

8. The Board heard evidence from the offender and noted that they recognised that they will have challenges in the community but appears to have insight and their evidence outlined their strategies for managing these challenges.
9. The Board concurred with the social workers' recommendation. The Board consider that there is a significant support package available to the offender in the community.
10. Accordingly, the Board directed release on licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community.