

SUMMARY



Date considered: 22 July 2021

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 13 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 prisoner;
 - c) the prisoner'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 prison-based social worker and the community-based social worker considered that the offender would benefit from testing at the Open Estate prior to release on licence. The Tribunal is of the view that this is not necessary in the particular circumstances of the offender. The offender has been able to remain drug free for a considerable period of time since his return to custody. The Tribunal is of the view that there is sufficient evidence from his time in closed conditions that he can avoid both further violent offending and using illicit substances
6. The Tribunal is of the view that there is sufficient evidence to direct the offender's release on licence conditions which were considered lawful, proportionate and necessary in order to manage their risk.