

SUMMARY



Date considered: 26 August 2021

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 9 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 Board note that both social workers did not support the offender's release at this stage and preferred that the offender had an opportunity for further community testing at the open estate. The Board, did not agree with the social workers' recommendations and decided it was not necessary for the protection of the public that the offender is confined at this time.
6. The Board acknowledge the very serious nature of the index offence and that the offender has accrued two subsequent convictions for crimes of violence. The offender has been released on two previous occasions, complied well with supervision but matters unravelled due to a deterioration in their mental health and a return to substance misuse.
7. The Board consider that the offender deserves credit on the whole for their good behaviours since their recall and the positive manner in which the offender has addressed their substance misuse issue for which the offender received excellent reports from the addictions team.

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8. The offender appears to have good insight into their risk factors and the Board considered that there was a robust risk management plan in place which includes a significant level of monitoring and the offender's attendance at specialist resources which will assist in managing their risk.
9. The Board considered that the licence conditions that are fixed are lawful, necessary and proportionate in order to manage safely such risk as the offender poses in the community