

SUMMARY



Date considered: 18 October 2021

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was ten 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. The Board carefully considered all of the evidence in this case. It had regard to the index offence, described by the sentencing Judge as a "horrifyingly violent" murder, but also accepted that the offence was apparently completely out of character. The Board also had regard to the offender's previous periods in the community on life licence, all of which had ended in their recall to prison.
6. Weighed against these factors, the offender had spent a significant period at the Open Estate. Their community access had been limited by the COVID-19 pandemic, but they had been able to undertake home leaves without incident. In the short-term, the offender had a stable release address and family support available. They had identified a number of groups and agencies which would also be able to offer them support, and had identified risk factors which they required to address. They appeared to have a good relationship with their community-based social worker, and both prison-based and community-based social work supported release.
7. The Board noted that the effectiveness of the support offered by various agencies would depend on the offender's level of engagement, and that much would depend on social work enforcement of licence conditions.

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8. The Board had to have regard to the length of time that the offender had been in prison, and also to the risk of harm they presented. The Board concluded that the offender had spent a lengthy period in custody without resorting to violence, and was satisfied that identified warning signs were likely to be addressed by their supervising authority before the risk of serious harm became imminent. The Board therefore directed release subject to licence conditions.