

## SUMMARY



**Date considered:** 04 November 2021

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 12 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 acknowledged that both community-based and prison-based social work did not support release at this stage, and did not view the offender's risk to be manageable in the community at present. The Board was concerned about the serious nature of the index offence; however, it attached weight to the offender not being involved in violence prior to the index offence or subsequent to it. The offender had entered custody as a youth and had since demonstrated an ability to manage themselves without resorting to violence. The Board acknowledged and understood the position of social work with regards to a lack of community testing; however, on balance, upon anxious scrutiny of this case, the Board did not view it as necessary for the offender to continue to be confined to protect the public.
6. The Board noted the offender's assessed level of risk and needs, and that they had not been assessed to be an imminent risk of serious harm. The offender presented as willing to engage with support services in the community. They had the positive support of family members, and had undertaken work with support services in custody. They acknowledged the likely consequence of breaching licence conditions. The Board noted that the offender should engage with all

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supports and services on offer to them in the community, and take this opportunity to prove that they can succeed in society.