

SUMMARY



Date considered: 26 November 2021

Sentence

1. The offender is serving an extended sentence of 15 years, three months and 16 days, comprised of a custodial term of 10 years, three months and 16 days and an extended period of supervision on licence of five years.

Test for release

2. Before it could direct release, the Board had to consider whether it remains necessary for the protection of the public from serious harm that the offender should be confined.

Decision

3. The Board was not 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 offender was recalled to custody having been charged with further offending. They were subsequently acquitted of the charge.
6. The offender had been released and recalled to custody on several occasions as a result of being charged with further offences, all of which either led to no further proceedings or an acquittal. The supervising officer reported that in the main, during their time in the community the offender appeared to engage with supervision, attended regular appointments and had completed a programme of offence focused work. Concerns were however raised around their honesty regarding relationships with their partner and associates following their most recent arrest. The offender did not accept that they were not open and honest with their supervising officer.
7. The offender denied the charge which resulted in their most recent recall to custody and subsequent acquittal. Furthermore, they denied any suggestion that they were involved with criminal behaviour in custody. In view of the fact that they had incurred no further convictions and had not demonstrated any analogous

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violent behaviour since their initial release a number of years ago, both prison based and community based social work were supportive of release.

8. The Board were cognisant of the statutory test which must be applied in relation to consideration of the offender's release on licence. In that regard, the Board was not satisfied that it was necessary for the protection of the public from serious harm that they must remain confined in custody. Accordingly, release was directed subject to licence conditions.