

## SUMMARY



**Date considered:** 16 December 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 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 test for release has been interpreted to mean that someone in the offender's position should only continue to be confined if they present a substantial risk of serious harm. Given that the offender's last recorded incident of violence dates back over two decades, the Board was of the view that they met the test for release.
6. In evidence, community-based social work (CBSW) set out for the Board the significant changes they had seen in the offender. In particular, they had become more trusting of social work and more open to sharing information with them. They had come to recognise their potential risks and had developed strategies to deal with these.
7. CBSW confirmed that a plan to support the offender with regular contact had been put in place. In addition, the offender had significant family support.
8. Accordingly, the Board's view was that the offender should be released on licence. The Board set conditions which it considered lawful, necessary and proportionate to manage their risk.