

SUMMARY



Date considered: 03 February 2022

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 11 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 offender displayed significant insight in their evidence as to the impact of their breach of licence on themselves and others, and also displayed a clear understanding of what would be required of them if re-released. The offender had clearly been caught up in personal issues, and their own efforts to support others when they were non-compliant with licence conditions. However, they were now clear that they needed to prioritise their licence, and discuss issues with their supervising officer if they are causing concern. They accepted their lack of openness and honesty with social work, and that this needed to improve significantly. They accepted that they would require to start again in building trust.
6. The evidence of community-based social work demonstrated that the legal test for release had been met. There was no suggestion that the offender is on a path towards committing serious harm offences, or any other form of violence. Their breach was compliance based, and additional licence conditions would assist in managing that risk. The supervising officer supported and recommended release.
7. The Board considered that the offender met the test for release, and that it was not necessary for them to spend at least a further six months in closed conditions

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before they could access progression to the open estate. The Board therefore directed release on licence conditions which it considered lawful, necessary and proportionate to manage the offender's risk.