

SUMMARY



Date considered: 16 March 2022

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 14 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 had completed a number of periods of home leave, several of which were for a period of seven nights; in addition, they had continued with regular access to the community by way of a work placement and unescorted day releases. There had been no difficulties with any of their periods of community access.
6. Clearly the offender's behaviour when in the community when last on licence was of concern, but they appeared to have moved forward since then. They had reflected on what may have caused them to act in that way, had repaired a disrupted relationship with a family member, and had undertaken further one-to-one offence focused work with a psychologist, focusing on giving them the skills to deal with challenging situations. The offender was reflective about this work and its impact on their way of thinking. They stated that boredom was a particular risk factor for them, along with negative peers. There were no suggestions that they associated with negative influences in custody and indeed they had taken steps to avoid such peers. Unlike their last release, this time the offender would benefit from family support. Whilst the Board did have some concerns about whether the offender had really thought in detail about how they would fill their time, they had taken some steps in that regard, and lined up at least some form

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of employment. They had also discussed other options for filling their time with their supervising officer.

7. The offender presented well during their hearing and appeared reflective and remorseful when speaking about the index offence and the harm that it caused. They were insightful when speaking about the support that they might need in the community, including in relation to dealing with the death of their parents. They seemed to recognise the support that they may need and the challenges they may face. Unlike the last occasion when they came before the Board, the offender now felt ready for and prepared for release. Their mental health was stable and they were stable on anti-addiction medication, yet were still able to recognise that they required to be mindful of their previous addiction issues.
8. Prison-based and community-based social work both supported release at this stage.
9. In applying the legal test, the Board required to ask itself if the offender presented a significant risk of serious harm if released. The Board, when considering all the evidence available, did not consider that they posed such a risk and was satisfied that it was no longer necessary for the protection of the public that they should continue to be confined.