

## SUMMARY



**Date considered:** 19 April 2022

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 15 years and six months.

### **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 presented well at the hearing. They demonstrated insight into their risks and the impact of the index offence on the victim's family. They had undertaken several periods of home leave with no concerns. They had sensible and realistic plans for their return to the community. They had the offer of employment which was protective. They had a good relationship with their supervising officer. Although the Board had some concerns about the challenges which may lie ahead with personal relationships, there were no current concerns. The offender had pro-social and supportive family members. The Board was confident that the offender would abstain from consuming alcohol in future, following a previous poor decision in this area and lessons learned from it with regards to insight into its impact. They were able to provide an example of when they had successfully abstained while on home leaves. They had also engaged with support services for identified risk factors. In all the circumstances, the Board was satisfied that it was no longer necessary for the offender to be confined, and directed release.
6. The Board considered that the recommended licence conditions were lawful, necessary and proportionate to manage the risks presented by the offender. The Board noted the request in victim representations for a geographic exclusion

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zone covering Barrhead, Paisley and Neilston. The Board was content to exclude the offender from Barrhead without prior permission from their supervising officer, because this is where the index offence took place. The Board was also content to exclude the offender from Thornliebank based on a recommendation from social work. The offender previously lived in Thornliebank and their previous negative peer group may still be there; however, there was inadequate evidence that an exclusion zone relating to Neilston or Paisley was necessary or proportionate and the Board did not include these areas. The offender is prohibited from contacting their victim's family without prior consent from their supervising officer, which the Board considered was sufficient protection for them.

7. The Board did not consider it was necessary or lawful to require social work to inform the victim's family if the offender leaves the UK.