

SUMMARY



Date considered: 11 May 2022

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 10 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 impression given by the offender in their evidence to the Board was of someone genuinely motivated to move their life forward in a pro-social and positive way, and to put their background and offending history behind them. The Board noted that when released on life licence the offender had been living a pro-social life, supported by family, but ultimately driven by their own determination to succeed. This determination and positivity came across in their evidence. The offender also presented as insightful in terms of previous offending and was reflective of the impact of their difficult background, involvement in violence and the incident which led to their recall.
6. The Board was concerned that the offender faced allegations of further offending. It was not possible to explore this in detail; however, the Board noted that the offender accepted that they had acted in a manner which may have escalated a difficult situation. The offender had reflected on how they came to be involved in this situation, and was able to explain to the Board what they had learned from it. The Board noted that further reflection on this by the offender, and on their decision-making in potentially high risk situations would be advisable.

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7. The offender had a positive relationship with their supervising officer, displayed openness and honesty in dealing with the outstanding allegation, and demonstrated a responsible attitude towards their licence in handling themselves in when recalled. This showed a certain maturity. The offender also talked openly about their acute awareness of the fact that they were on life licence. The Board had confidence that the offender would comply with licence conditions if released and that they would use their recall to custody as part of a learning process to ensure they avoid being drawn into confrontational situations in the future. In weighing up all the evidence which it had before it, including the recommendations of both prison-based and community-based social work, the Board concluded that the offender did not pose a significant risk of serious harm and that their continued confinement was thus no longer necessary for the protection of the public.
8. Accordingly, the Board directed release on licence conditions which it considered lawful, proportionate and necessary to manage the offender's level of risk in the community.