

## SUMMARY



**Date considered:** 08 September 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 majority of members were satisfied on the evidence available that the offender's continued confinement was no longer necessary for the protection of the public. In reaching that decision, the majority of the Board concluded that the evidence did not support the suggestion that the offender presented a significant risk of serious harm. The offender does not have a history of repeated instances of violent behaviour in the community. The index offence is their only conviction for violence.
6. The majority of the Board recognised the substantial package of support that was in place for the offender. The majority of the Board considered that that robust package provided sufficient touch-points for the offender. The risk management plan is also sufficiently robust to pick up any concerns.
7. The offender demonstrated insight into their issues, and though they struggle to always make good decisions around these, they clearly are aware of the difficulties these bring and presented as genuine in saying that they would seek support when they needed it.
8. Taking all of the above into account the majority of members were satisfied on the evidence that the offender's continued confinement was no longer necessary and accordingly their release was directed.

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9. The dissenting member was highly concerned about the offender's most recent conduct in custody. The dissenting member considered that there was no evidence about the level to which the offender would actually engage with supports in a community setting and that they may struggle to seek support when required. The dissenting member was concerned about the offender's ability to cope. They were not satisfied that the offender met the legal test for release