

SUMMARY



Date considered: 06 December 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 Tribunal 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 Tribunal was satisfied on this matter, and directed release subject to licence conditions.

Reasons for decision

4. In reaching its decision, the Tribunal 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 Board accept that the offender has now been in prison for approximately twenty eight years and is approximately fourteen years post-expiry of the punishment part of their sentence and in such cases anxious scrutiny should be applied.
6. The Board note and attach weight to the reports of the Prison Based Social Worker and the Community Based Social Worker who support the offenders release at this stage. They have now been at the Open Estate for approximately twenty months and had significant community testing.
7. In an overall assessment of risk, the Board decided that with all the available evidence, it was no longer necessary for the protection of the public that the offender remained confined. The Board encourage the offender to take all the support and services offered to them within the community and note that they are clear that if they breach their licence conditions, what the likely consequences are.
8. Accordingly, the Board directed release on licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community