

## DECISION SUMMARY



**Date considered:** 03 August 2023

### Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 9 years.

### Test for release

2. Before it could direct release, the panel 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 panel was satisfied on this matter, and directed release subject to licence conditions.

### Reasons for decision

4. In reaching its decision, the panel 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 was convicted of murder and sentenced to life imprisonment with a punishment part of 9 years.
6. The offender was released on licence in 2018 and 2021, and recalled to custody after short periods in the community. The offender progressed to Lilius Community Custody Unit in January 2023. They have accessed the community, including through a community work placement. No concerns have been raised during these periods of community access.
7. The panel accepted the recommendations of the Prison Based Social Worker (PBSW) and the Community Based Social Worker (CBSW) in support of the offender's release. The PBSW assesses that the offender's reactions at the time of the index offence appear to have been impulsive and triggered by memories of past experiences. Since the index offence, there has been no violent offending by the offender in custody or in the community.
8. It is assessed that the offender has the potential to cause serious harm but it is not likely at this time.
9. The offender presented as having reflected on the index offence and the circumstances of their recalls to custody. They demonstrated remorse. The

## **DECISION SUMMARY**

offender has clear plans for the future and appeared motivated. They have a positive working relationship with their CBSW.

10. Having regard to the above factors, the panel was satisfied that it was no longer necessary for the protection of the public that the offender should continue to be confined and directed their release subject to licence conditions.