

## DECISION SUMMARY



**Date considered:** 02 August 2023

### Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 11 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 panel began by considering the index offence, in which the offender committed murder. The panel also considered the offender's previous convictions.
6. The panel then considered the risk that the offender currently poses. The panel noted the evidence of both the Prison Based Social Worker (PBSW) and Community Based Social Worker (CBSW), who both agreed that the offender does not pose an imminent risk of serious harm. There was evidence of the offender's ability to put their learning from programme work into practice in custody. The panel also noted evidence of the offender's ability to recognise and manage their risks.
7. Although the panel was concerned that the offender had not yet had unescorted community access, it noted that they have taken a large number of Special Escorted Leaves (SELs) all of which passed without incident. The panel concluded that further testing by way of unescorted day releases was not essential, particularly given the assessment of the social workers that the offender does not pose an imminent risk of serious harm and the lack of violence.
8. The PBSW and CBSW did not recommend release on the basis further testing was required and to allow further supports and accommodation to be put in place

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for release. The panel concluded that it was necessary to depart from these recommendations given it was satisfied that the risk posed by the offender was not at a level that required their continued confinement and that early warning signs for the risks specific to the offender could be picked up and managed quickly. The panel therefore directed the offender's release subject to licence conditions.

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