

## SUMMARY



**Date considered:** 13 March 2023

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 10 years and 6 months.

### **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 offenders index offence was extremely serious, and caused fatal harm to their victim. The offender has also accrued a conviction for assault to injury during the currency of this sentence.
6. However, the tribunal noted that the offender had no other convictions for violent offending. They have been at the Open Estate since May 2022 and have undertaken a significant amount of access to the community, including home leaves, without incident. The prison-based and community-based social workers both recommend release.
7. Having regard to all of the available evidence, the tribunal are satisfied that it is no longer necessary for the protection of the public that the offender remains confined. On that basis, the tribunal directs their release subject to licence conditions.