

DECISION SUMMARY



Date considered: 19 December 2023

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 10 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 presented well in the hearing. Whilst they had incurred another conviction for using threatening and abusive language, the panel did not consider that this behaviour resulted in serious harm. The offender had done well prior to this in the community. Although they have a murder conviction, the offender does not have any convictions for domestic assault, there is no pattern of intimate partner violence and they have not been violent for a number of years.
6. The offender's evidence that they had attended their supervision appointments in the community and did not fail any drug tests since their last release was accepted by the panel.
7. The panel considered that the offender does not pose a significant risk of serious harm to the public which requires them to remain confined. Their social workers both recommend release. They engage well with their supervising officer and mental health and addiction services. The panel had confidence that the offender would engage well with their supervising officer in the community and that their risks would be managed in the community.
8. In all circumstances, the panel decided to direct the offender's release on licence conditions which are lawful necessary and proportionate to manage their risk.