

## DECISION SUMMARY



**Date considered:** 19 February 2024

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 16 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 is serving a life sentence having murdered their victim. The trial judge selected a punishment period of 16 years due to the "savagery of the assault on a defenceless old man who appeared to have been innocent of any wrongdoing against the accused". Their punishment period expired in 2022. Their previous convictions were largely for minor offences categorised as anti-social behaviour.
6. The panel recognises that the offender is nearly 2 years past the expiry of their punishment part of their sentence. The panel further recognises that the offender has not posed management difficulties during their sentence nor resorted to violence in prison. They have completed some offence focused work and have had some restricted community access. They have not however undertaken any periods of home leave and their testing has been relatively limited.
7. It is apparent to the panel, that in advance of this hearing considerable efforts and resources have been applied to the offender's case. Both the prison based social worker (PBSW) and Community Based Social Worker (CBSW) recommend that the offender should be released from prison provided that an appropriate care and accommodation support package are in place for their needs. The evidence before the panel is that this has now been achieved. The

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panel accepts the recommendations of the offender's social workers and accordingly directs their release on licence conditions.

8. With close supervision and monitoring of the offender's compliance with their licence conditions anticipated, the panel is satisfied that it is no longer necessary for the protection of the public that they remain confined.