

DECISION SUMMARY



Date considered: 14 May 2024

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 12 years and 2 months.

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 12 years. The offender's time in custody has not been without difficulties but there has been a positive response to custody in recent years.
6. The panel considered that the offender provided insight into their previous behaviour. They have reflected on the index offence and the very significant consequences for the victim's family and the wider community. The panel considered the offender's response to custody over recent years. They have completed programme work. They had community access at National Top End (NTE) and progressed to the Open Estate (OE). At HMP Castle Huntly, they have had several periods of home leave with no adverse circumstance reports. The panel considered the offender's engagement and previous reports from a community work placement at National Top End and work at the Open Estate.
7. The Panel took note of the recommendations of the prison based and community based social workers in support of the offender's release. The panel also considered the offender's assessed level of risk of offending and risk factors in the community.

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8. There is a detailed risk management plan in place for the offender's release and indication of a good working relationship between the offender and the community based social worker. It is reported that the offender has engaged fully with the supervision process through periods of home leave. There is no evidence of recent risk-taking behaviours and no current concerns in relation to negative associates.
9. Having regard to the above factors, the panel was satisfied that it is no longer necessary for the protection of the public that the offender should continue to be confined and directed his release subject to the previously intimated Licence Conditions.

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