

DECISION SUMMARY



Date considered: 24 July 2024

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 is serving a sentence for murder. The index offence is set against a background of other offending, largely for disorder, but which also includes possession of an offensive weapon.
6. At their last hearing, the offender was given a short review period, essentially to allow them to undertake periods of unescorted community access and accumulate more evidence to present to a panel of the Board that they met the test for release. Since then, they have continued with their community access on an unescorted basis. No issues have been identified. They have complied with temporary licence conditions, and have been engaging with their Community Based Social worker (CBSW).
7. Both the CBSW and Prison Based Social Worker (PBSW) continue to support their release, a position which they both held at the offender's last review. The CBSW confirmed that they had a good relationship with the offender and that during unescorted day releases the offender had been engaging well with them and was seeking support when needed. The offender also had more insight into the risks presented to them. The CBSW was confident that the offender would approach them for support and would disclose any issues or difficulties which they were facing.

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8. Since their last release on licence, the offender speaks to their ability to think through consequences before acting. The offender is demonstrating compliance, and their CBSW is confident that they will be open and honest if they are struggling and needs support.
9. The Panel considered risk factors present in the community and the offender's ability to deal appropriately with them. The offender will need to work closely with the CBSW to ensure that they have the necessary confidence and self-resilience to be able to resist any negative influences. The panel considered the offender's risk of reoffending in terms of the risk of serious harm.
10. The panel requires to be satisfied, on evidence, that the offender's continued confinement is no longer necessary to protect the public. The panel needs to be satisfied that they do not present a significant risk of serious harm. The panel agreed with both social workers the offender has now accrued sufficient evidence to demonstrate they meets the test for release.

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