

DECISION SUMMARY



Date considered: 24 July 2024

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 12 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 committed extremely violent index offences against their victims. They have completed all offence focused work identified for them in closed conditions and progressed to the Open Estate (OE) three times, with them being downgraded on the first two occasions. On this occasion, they have been at the OE since October 2023, having extensive community access by way of home leaves and attending a community work placement over several months. All of their community access has passed without incident.
6. The panel heard extensive evidence from both the Prison Based Social Worker (PBSW) and the Community Based Social Worker (CBSW) over two hearings, in May and July 2024. Both the PBSW and CBSW did not recommend release at the first hearing, which was deferred part-way through the evidence. At the July hearing, both social workers confirmed that they were now recommending the offender's release.
7. At the July hearing, the CBSW agreed with the PBSW's evidence in many respects. The CBSW has had oversight of the case for many years and was confident that they would be able to spot the offender's early warning signs with regard to an increase in his risk while in the community.

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8. The offender's evidence highlighted that they have learned a lot from their work within custody and that they continue to use the tools they have gained from that work both in custody and when accessing the community. The offender was able to identify their own early warning signs. Given the information in the dossier and witness evidence, the panel were persuaded that the test for the offender's release was met. Accordingly, the panel directed release subject to licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community.

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