

DECISION SUMMARY



Date considered: 24 September 2024

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 11 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 was convicted of murder and sentenced to life imprisonment. They have been released on life licence and recalled to custody twice.
6. The panel accepted the oral and written evidence of the community based social workers, and the written evidence of the prison based social worker, all of whom supported the offender's release at this time. Main risk factors for the offender include a return to substance misuse, association with negative peers, and unstructured use of their time.
7. The offender has been in the community for significant periods on licence. The community based social worker did not have significant concerns in relation to violence being perpetrated by the offender if re-released to the community. There were concerns around a return to substance misuse and the consequent disinhibiting effect. Violence is not an initial concern following from substance misuse as the risks around substance misuse would be more in terms of anti-social behaviour and offending for financial gain.
8. The offender had plans for the future and appears motivated to better their life. They accepted they had made mistakes and should have sought support.

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They have an awareness of their risk factors. They acknowledged that they require to stay away from substance misuse and negative associates. They also were able to highlight that they require to structure their time in a positive manner. They have also engaged with addictions support, and such support will continue to be available to them in the community, together with regular testing to monitor their compliance. They indicated that they understood what is required of them whilst subject to life licence.

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