

## DECISION SUMMARY



**Date considered:** 24 January 2025

### **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 the most serious act of violence and was convicted of the murder of his victim. The offender has previously been released on Licence by panels of the Board and subsequently recalled, albeit after a period of several years in the community on licence on one occasion. The offender has a record of criminal offending predating their index offence. The panel however notes that there were no prior convictions for violent offending. The panel also attaches weight to the fact that the offender has not been convicted of any criminal offences of any nature since the index offences, whether during the custodial parts of their sentence or whilst in the community on licence.
6. Neither the Prison Based Social Worker nor the Community Based Social Worker, who gave evidence at the oral hearing, currently support the offender's release on licence. Whilst the panel understands and respects their recommendations that the offender should seek to meet the outstanding treatment needs identified in closed conditions before progression, the panel is concerned that in the absence of an offence based programme, the offence focused work may be insubstantial in advancing the offender's insight and understanding of their key risk factors

## DECISION SUMMARY

7. The panel notes that within supported accommodation there is potential for a significant package of support that will focus on key areas of risk identified for the offender. The panel considered evidence which outlined in detail the work that will be undertaken with the offender upon release along with the risk management measures that can assist, in collaboration with community social work.
8. The panel considered reports in relation to the offender's compliance in prison and engagement with colleagues from the supported accommodation facility. The panel also considered the offender's testimony and their insight into the risks they presented.
9. With particular focus upon the lack of violent offending, beyond the very serious index offence, and lack of subsequent violent conduct; and the evidence which supports that the offender is determined to focus upon their own risks and needs, the panel is persuaded that the offender's release on licence is merited. The panel was also mindful of the length of time which has expired in this case since the expiry of the offender's punishment period and the need to apply anxious scrutiny to the case, whilst considering the continued impact of confinement upon them.
10. The panel concludes that it is no longer necessary for the protection of the public that the offender remains confined.

## DECISION SUMMARY