

DECISION SUMMARY



Date considered: 16 January 2025

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 17 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 assault with intent to murder. They were sentenced to life imprisonment with a punishment part of 20 years, which was subsequently reduced to 17 years on appeal.
6. The offender has progressed through National Top End (NTE) and the Open Estate (OE). They have been at the OE since 2024 and accessed the community over a significant period of time through Unescorted Day Releases. There have been no adverse circumstance reports.
7. The panel accepted the written and oral evidence of the Prison Based Social Worker (PBSW) and the Community Based Social Worker (CBSW). They supported the offender's release at this time. They both spoke of the offender's positive engagement with them. The PBSW considered that there is evidence of a significant shift in the offender's mindset and maturation in the latter part of their sentence including a willingness and ability to implement skills and make the right decisions and navigation of higher risk scenarios to manage their own risk factors.
8. The CBSW notes that there have been no concerns raised whilst the offender has been on home leave. The offender has a positive attitude, is motivated and engages well with CBSW.

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9. The panel considered representations submitted by the victim's family. The offender stated that they were so sorry for the index offence. They had destroyed the victim's family and they regret that night. There was not a day goes by when they do not think of the index offence and the heart break caused. The offender believed that they were a different person to the time of the index offence in the way that they think and act.
10. The panel was impressed by the offender's evidence and their clear progression in custody and during community access. They appear to have taken the advice of professionals and utilised strategies appropriately. The offender indicated that they were willing to comply with licence conditions (LCs). There have been no reported issues with their compliance with temporary LCs during community access. They appeared to be pragmatic about their community access and indicated that they felt they had benefited from gradual progression. They had a positive working relationship with their CBSW and understood the importance of engaging and remaining open with CBSW.
11. Having regard to the above factors, the panel was satisfied that it was no longer necessary for the protection of the public that the offender should continue to be confined and directed their release subject to the previously intimated LCs.

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