

## DECISION SUMMARY



**Date considered:** 07 February 2025

### **Sentence**

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 13 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's index offence caused catastrophic and fatal harm to their victim. It is to their credit however, that they have not engaged in violent offending since then.
6. The circumstances of their recall are considered by professionals to have been a one-off incident of poor decision-making and not indicative of a return to previous risks.
7. Since their recall, the offender has abided fully by the Scottish Prison Service (SPS) regime, accrued no misconduct reports. They are said to engage well with SPS staff, social workers and other professionals within the prison.
8. The offender is able to identify their risks. They have plans in place to manage those risks in the community and has been managing them successfully in custody since their recall.
9. The social work witnesses spoke positively of their interactions with them and said they had found the offender to be open and honest in all of their dealings with them.
10. They provided the professional opinion that the offender met the statutory test for release and that his risks could now be managed in the community.
11. The Panel found the evidence of both social workers to be credible and well considered and accepted their evidence of the offender's suitability for release at this time.

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12. The Panel also found the offender to have insight into their risks and to have been open and honest in their evidence to the hearing.
13. In fixing recommended licence conditions, the Panel took account of the professional recommendations of both social workers and the offender's most significant risk factors around substance misuse and negative peer associations.

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