

DECISION SUMMARY



Date considered: 24 March 2025

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 15 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 was one of significant violence causing fatal harm.
6. Prior to their release the offender had engaged with the prison regime, had undertaken community access without incident and had managed to achieve stability in relation to a longstanding issue. They demonstrated insight into their risk factors and both social workers supported their release.
7. When they were then released they initially made very good progress in resettling. They appear to have achieved stability. There were no concerns about their behaviour or engagement.
8. Given the other positive factors in their case, the panel had to carefully consider the incident leading to their recall. They gave the panel an account of what happened. They provided a background context of what took place and then an explanation of what had happened thereafter.
9. During that incident, they demonstrated a series of very poor decisions.
10. The panel had to consider whether that poor decision making, and lack of consequential thinking was of such concern as to indicate that the offender may

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still present a significant risk of serious harm. In reaching its decision to release the offender, the panel placed weight on their presentation during the hearing. The panel considered the manner in which they gave evidence, and their candidness in providing information to the panel which was not in their dossier. Their ability to be open and honest within the context of their hearing gave the panel confidence that they would be able to be transparent with their supervising officer. That is set against a background of there being no concerns about their honesty until the evening of the incident leading to their recall.

11. The offender has taken the opportunity to reflect on their time in the community, including their own behaviour and poor decision-making and consequential thinking the night of the incident that led to their recall. Since then, they have sought support to help them understand that.
12. The panel requires to look holistically at the offender's case and consider whether they present a significant risk of serious harm. The panel weighed up the offender's otherwise good behaviour in the community, and their own evidence, and balanced that against the evidence of a series of poor decisions over the course of one evening.
13. Taking into account all of the evidence before it, the panel was satisfied that the offender had provided sufficient evidence to persuade it that their continued confinement was no longer necessary for the protection of the public. The panel was persuaded that the risk which they present could be managed safely in the community. The panel concluded that with additional risk management factors in place, they did not present a significant risk of serious harm.
14. The panel noted the doubts of social workers, and that they did not support release. However, the panel ultimately disagreed with their conclusions, having considered carefully the evidence, including the oral evidence of the offender.

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