

DECISION SUMMARY



Date considered: 16 April 2025

Sentence

1. The offender is serving an indeterminate sentence, of which the minimum term in custody was 15 Years 162 days.

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.

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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 a very violent index offence in which serious harm was undoubtedly caused to the victims. Since the index offence the offender has not been involved in further violence, either in custody or in the community, albeit they have incurred further convictions. They have been released and recalled to custody twice during this sentence. On the second occasion they were in the community for 15 months during which time their engagement with supervision was reported to be good and they were making positive steps towards reintegration, including rebuilding relationships and obtaining stable accommodation. They were recalled to custody due to concerns about a possible return to risk taking behaviours and the presence of some of their risk factors.
6. Since returning to custody the offender's conduct has been positive, with them not incurring any misconduct reports and there being no concerns about risk taking behaviours. It was clear from their evidence that they have reflected on the mistakes they made when last in the community and are aware of how they must approach things differently in future to avoid a further recall to custody. The panel also noted that there had been no concerns noted during the offender's period on supervision other than the risk taking behaviours and no indication of further offending. In particular, the panel noted the steps that the offender had

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taken to distance themselves from pro-criminal associations and their compliance with licence conditions. The panel noted that the offender's tenancy remains available to them and that they have a supportive network in the community.

7. The Community Based Social Worker (CBSW) provided helpful evidence at the hearing in which they recommended the offender's release. The CBSW provided a clear explanation as to why they considered the offender's to be manageable in the community. The panel noted that the CBSW had given careful consideration to their recommendation, including discussing this with colleagues. The panel also noted the CBSW's evidence on the robust risk management plan that would be in place on release. The panel found the CBSW's evidence to be both credible and persuasive and had confidence that they would robustly implement the community risk management plan. The panel therefore concurred with the CBSWs' release recommendation, noting that although the offender's assessed level of risk was potentially escalating at the point of recall there had been no further offending, a lack of violence since the index offence and no other indication of risk taking behaviours.
8. Accordingly, the Board directed release on licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community.

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