



Parole hearing

Under section 21(1) of the Parole Act 2002

Neal Medhurst NICHOLLS

Hearing: 12 May 2015
at (withheld)

Members of the Board: Alan Ritchie (Panel Convenor)
Ms M Coleman
Mr J Thomson

Support People: (withheld)

Observers: (withheld)

DECISION OF THE BOARD

1. Neal Medhurst Nicholls, 59, appeared for what, essentially, is the first consideration of parole on his sentence of eight years six months for theft by a person in a special relationship and breaches of the Securities Act.
2. Mr Nicholls was first seen on 14 January 2015 but that Board correctly identified the then stated parole eligibility date was not accurate. Parole was not considered. The sentencing Judge has now confirmed that the eligibility date is 20 May 2015.
3. Mr Nicholls has a minimum prison security classification and a RoC*RoI of 0.02503.
4. There are no other criminal convictions.
5. The offending arose from Mr Nicholls' involvement, with others, in a finance company. Very large losses were sustained. We need not reiterate the circumstances. They are plainly set out in the sentencing notes of 31 August 2012 and 28 June 2013.
6. It is instructive to refer to the impact on victims, many of whom being elderly and trusting. Justice Wylie said Mr Nicholls and his offending colleagues "did not pause to consider

the interests of investors. They were swept up in the euphoria of then buoyant property market and there was a wholesale disregard of the fact that they were playing with other people's money".

7. On the other hand Justice Wylie did refer to certain mitigating features.
8. Mr Nicholls has spoken to us about the whole situation including the process of appeal. He was guided to a degree by his advisers in that regard but at the point when he was denied the right of further appeal he was entirely accepting of the outcome.
9. Departmental assessments rate Mr Nicholls' risk of re-offending as low and no prison-based rehabilitative work has been made available to him.
10. Mr Nicholls has been working in the offender employment nursery and has offers of employment in that area.
11. He does have the undoubted support of (withheld), (withheld) and others in the community.
12. On all of the information available to us we are satisfied that risk is not undue and we are directing a release on parole.
13. Mr Nicholls will be released on (withheld) May 2015. He will be subject to the standard conditions set out in Section 14 Parole Act 2002 and the following special conditions with all conditions continuing for two years.
 - (1) To reside at (withheld) and not to move from that address without the prior written approval of a Probation Officer.
 - (2) Not to undertake employment in any capacity involving the handling of business finances, directly or indirectly; or undertake any financial transactions or negotiations on behalf of a third party, without the prior written consent of a Probation Officer.
 - (3) Not to have contact or otherwise associate with any victim (excluding Ms Nicholls) of your offending, directly or indirectly, unless you have the prior written consent of your Probation Officer.
 - (4) Not to communicate or associate, directly or indirectly with your co offenders, namely Wayne Leslie Douglas and Owen Francis Tallentire, unless you have the prior written consent of you Probation Officer.

Alan Ritchie
Panel Convenor