

Parole Board Decision Summary

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Parole
Board

working with others
to protect the public

Name: Steven Ling

Decision: Direction for release on parole licence

INTRODUCTION

As required by law, Mr Ling's case was referred to the Parole Board by the Secretary of State for Justice to determine whether he could be safely released on parole licence. If not, the panel should consider whether transfer to open conditions could be recommended.

The panel could only direct release if it was satisfied that it was no longer necessary for the protection of the public that Mr Ling remained confined in prison.

If the panel did not find that Mr Ling could be released, it should consider his suitability for transfer to open conditions (Category D). To do so, the panel must review the extent to which he has made sufficient progress during the sentence in addressing and reducing risk to a level consistent with protecting the public from harm, given that a prisoner in open conditions may be unsupervised in the community and engaging in temporary release under licence. The prisoner must also be assessed as presenting a low risk of abscond.

The case was considered at an oral hearing which took place over two days on 16 July 2024 and 17 July 2024. The hearing took place at the prison where Mr Ling was being held and was heard in public. The public viewed a livestream of the hearing from the Royal Courts of Justice. This followed a change in the Parole Board rules and a successful application made by a third party for the case to be heard in public. Some parts of the evidence were heard by the panel in private. This included the whole of Mr Ling's oral evidence and specific matters relating to the proposed risk management plan.

Mr Ling indicated through his legal representative that he sought a direction for his release. He asked that in the absence of such a direction that a recommendation for his transfer to open conditions should be made.

The review was adjourned twice following conclusion of oral evidence gathering. This was partly to obtain further information about the proposed risk management plan.

In reaching its decision, the panel considered the contents of Mr Ling's dossier, prepared by the Secretary of State for Justice. At the hearing, the panel took oral evidence from Mr Ling's prison offender manager and his community offender manager. It also took oral evidence from a Principal Registered Forensic Psychologist instructed by the prison and from a Consultant Clinical and Forensic Psychologist instructed by Mr Ling's legal representative. Mr Ling also gave evidence to the panel.

The Secretary of State was represented at the hearing by Counsel and by a lay representative. The Secretary of State made submissions before and after the hearing providing the view that Mr Ling did not meet the test for release.




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The panel had the benefit of reading five victim personal statements written by members of the victim's family. Two members of the victim's family read their statements to the panel and representatives by remote video link before the hearing. A further statement was read in person by a member of prison staff on behalf of the family member to the same attendees. The statements clearly conveyed the impact of Mr Ling's crime and the consequences of his offending. The contents were given careful consideration by the panel who also took into account the concerns expressed about licence conditions which might apply if Mr Ling was returned to the community. The full statements were available to the panel and representatives in writing. Some were made available to Mr Ling but at the request of some of the victim's family only an edited summary of their statements was provided to Mr Ling.

SENTENCE DETAILS

In December 1998 Mr Ling was convicted following his guilty plea of murder. The murder took place in the early hours of Christmas Day 1997. Mr Ling had met the victim in a pub on Christmas Eve. He had a great deal to drink and left the pub in the early hours of Christmas Day. The victim had already returned to the address where she was meant to be staying but Mr Ling attended her address and persuaded the victim to accompany him to his home on the premise there was a party.

At his home, Mr Ling punched the victim and attempted to have sex with her. Failing to do so, he collected a knife and then raped her. During or immediately after the rape, Mr Ling stabbed the victim and attempted to suffocate her. When the knife broke, he found another knife and continued his attack until she died. Elements of the offence were particularly sadistic. Mr Ling fled the scene and was arrested for a suspected traffic offence a few hours later. He confessed immediately to the murder to arresting police officers.

Mr Ling received a mandatory life sentence. The original tariff – the period which Mr Ling needed to serve before he could be considered for release – was originally set at 20 years. This was reduced by the High Court on appeal to 18 years. Mr Ling completed his minimum tariff in December 2015. As a result of the Parole Board's prior reviews, which found that Mr Ling did not then meet the release test, Mr Ling has served an additional nine years in custody.

An offence of rape was left to lie on file. Mr Ling has always accepted that he raped the victim. As Mr Ling was not formally convicted of rape he is not classed as a convicted sex offender and so he is not subject to a Sexual Harm Prevention Order, and he is not required to sign the Sex Offender Register when he is released.

This is Mr Ling's fifth Parole Board review. At his reviews in 2020 and 2022 the panels of the Parole Board which conducted the reviews each recommended to the Secretary of State for Justice that Mr Ling should be moved to open conditions. Neither recommendation was accepted by the Secretary of State for Justice.



RISK ASSESSMENT

Having considered the index offence and other unconvicted offending which Mr Ling has admitted, the panel listed as risk factors which were present at the time of his offending and which if present in the future may lead him to reoffend. These risk factors included preoccupation with sex and distorted attitudes to sex and women; social isolation; poor emotional management; anger issues; feeling belittled or humiliated; poor problem-solving skills and using alcohol to cope.

Evidence was presented at the hearing and in the dossier regarding Mr Ling's progress and custodial conduct during his sentence. He had undertaken accredited programmes to address his violent and sexual offending including the core and extended Sex Offender Treatment Programme. He had engaged with a Therapeutic Community and with a Psychologically Informed Planned Environment over a total of five years. He had also completed other work which focussed on his emotional wellbeing, and which addressed the risk factors identified as relevant to Mr Ling's offending. His custodial conduct has largely been exemplary.

During the course of his sentence and treatment Mr Ling has admitted to many incidences of indecent exposure pre-sentence, for which he was not convicted. The panel also received evidence relating to an event prior to the index offence which bore similarities to his offending. Professionals were satisfied that the unconvicted offending had been fully considered in their assessments.

The panel explored the causes, risk factors and circumstances of Mr Ling's offending. It examined how he engaged with, and responded to, risk reduction work and how he currently manages his risk factors. It explored how increasing risk could be observed and managed in the community by those supervising him.

In this case, the protective factors present, which would reduce the risk of Mr Ling reoffending, were considered to include his ability to regulate his emotions without resorting to risk-related behaviours; the extensive work completed to address his risk; his good insight into the build-up to his offending; his good understanding of his risk factors and how to manage these; the remorse and shame he feels about his offending and his strong victim empathy.

Mr Ling's probability of proven violent and non-violent reoffending has been actuarially assessed by his Community Offender Manager as low. These assessments used static factors – things that will not change – such as his age at conviction and prior criminal history. It also included dynamic factors – things that can change – such as impulsivity, attitudes, thinking and behaviour, alcohol misuse and emotional wellbeing. Separate assessments specifically in relation to contact and non-contact sexual offending also conclude Mr Ling's probability of reoffending is low. Both psychologists assessed Mr Ling's likelihood of further proven reoffending to be moderate. The panel heard evidence that Mr Ling's unconvicted sexual offending meant that actuarial scores may underestimate the assessments of probability of further proven reoffending. The panel agreed that Mr Ling's probability of proven reoffending is moderate and that the most likely form of reoffending would be through indecent exposure.

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Mr Ling's risk of causing serious harm was also assessed by his Community Offender Manager. It was concluded in that assessment Mr Ling posed a high risk of causing serious harm. This assessment considered both the likelihood and impact of any further offending. The panel was told that this assessment of Mr Ling would not be reduced regardless of work completed in custody to address his risk until such time as he has been tested in the community. For Mr Ling to be considered a high risk of causing serious harm the event of harm could happen at any time. All witnesses agreed that this was not the case. The panel, having taken into account all evidence, concluded that Mr Ling posed a medium risk of causing serious harm. That is, that Mr Ling has the potential to cause serious harm but is unlikely to do so unless there is a significant change in his circumstances. The panel considered that the type of significant change of circumstance which could lead to an increase in his risk would be something that happened over a long period of time and that warning signs would be apparent to those supervising him before his risk increased to a level that may result in harm to others.

The panel heard how Mr Ling had demonstrated application of relevant skills and learning while in custody. All witnesses considered the proposed risk management plan was sufficient to manage Mr Ling's risk of reoffending in the community. Some professional witnesses considered it would be better if Mr Ling progressed to open conditions before he was released. The test for release does not allow the panel to consider what is a better option, only whether it is no longer necessary for the protection of the public that he remains confined.

The panel examined the release plan provided by Mr Ling's Community Offender Manager and weighed its proposals against assessed risks. Following the oral hearing the panel asked for more information about how the Risk Management Plan would work in practice and how the various authorities would organise delivery of the Risk Management Plan.

The plan included a requirement to reside in designated accommodation as well as strict limitations on Mr Ling's movements, contacts and activities. He will be managed under Multi-Agency Public Protection Arrangements.

Mr Ling is not a convicted sex offender. This means that he will not be subject to a Sexual Harm Prevention Order, nor will he be subject to Sex Offender Registration requirements. The panel considered that the standard licence conditions along with the additional licence conditions it imposed were able to sufficiently replicate conditions which would have been included in such an order. The one exception was polygraph testing, which the Parole Board only has the power to impose when the offender has been convicted of a sexual or terrorism offence. However, no witnesses considered this condition to be essential to the risk management plan. While the panel considered polygraph testing would have been desirable, it agreed that its absence did not fatally undermine the risk management plan. It is open to the Chief Constable of the area in which Mr Ling will eventually reside to apply by way of complaint to a Magistrate's Court for a Sexual Risk Order which will allow the imposition of a polygraph test requirement if considered necessary in future.



DECISION

After considering the circumstances of Mr Ling's offending, the progress made while in custody, the risk management plan and other material in the dossier comprising over 1100 pages of evidence, as well as the oral evidence obtained at the hearing, the panel concluded that Mr Ling met the test for release. The panel was satisfied that imprisonment was no longer necessary for the protection of the public. The panel directed his release subject to a set of standard licence conditions imposed on all offenders released under supervision and additional licence conditions imposed by the Parole Board which must be strictly adhered to. These include requirements:

- To comply with requirements to reside at a designated address, to be of good behaviour, to disclose developing relationships and the breakdown of any relationship and to report as required for probation supervision or other appointments.
- To submit to an enhanced form of supervision and monitoring including signing-in times and a specified curfew. He will be subject to GPS tracking for a period of 12 months and must identify to his probation officer vehicles in which he travels.
- To comply with identified limitations concerning contacts, activities, residency and exclusion zones to avoid contact with the victim's family.
- To meet specified restrictions relating to the use of electronic technology and to allow examination of any internet enabled device he uses by police or probation.
- To continue to work on consolidating learning intended to address risk and to treatment relating to reduction of risk through engagement with certain services and with his Community Offender Manager.
- Notify his Community Offender Manager if he uses a different name.