

Criminal Law News

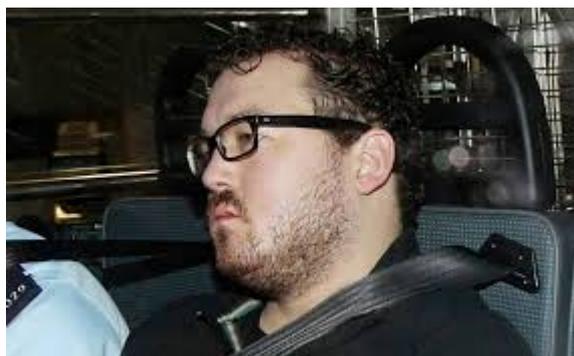


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Contents -

Issue 74 December 2014

British Investment Banker formerly of Bank of America Merrill Lynch, Rurik Jutting, charged with two murders in Hong Kong pgs 1-14



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Rurik Jutting, British banker, formerly of Bank of America Merrill Lynch, working in Hong Kong, charged with murder of two prostitutes

Sally Ramage

Rurik George Caton Jutting from a ‘quiet’ family

Rurik George Caton Jutting¹ was brought up in Cobham, Surrey, in England, United Kingdom (‘UK’).



Rurik Jutting. Source: Google

¹ Editor, ‘Hong Kong murders: Cambridge graduate Rurik Jutting appears in court’, *Cambridge News*, 3 November 2014.

A neighbour from his parents' home in Cobham told news reporters that the family (Mr Graham Jutting; Mrs Helen Jutting; their two sons Rurik Jutting and Auryn² Jutting) was a quiet family and 'kept to themselves'.

The family home is a lovely Grade II Listed³ manor house, surrounded by woodland, at Chertsey, Cobham in Surrey, UK. His father is not a banker, but an engineer and his mother was a primary school teacher, now a manager of a small franchise business selling milkshakes.

Alleged inexperience with women whilst an undergraduate

Rurik⁴ Jutting⁵ was privately educated at prestigious Winchester College and then at Peterhouse College, Cambridge University in the UK. An old friend from his university days told news reporters that Jutting was awkward around girls⁶ and was *'never one of the loud boys but he showed his masculinity in other ways. He was a member of the rowing club and then got a career in the very masculine world⁷ of investment banking.'*

² Auryn is a Welsh Celtic boy's name which means 'the golden one'.

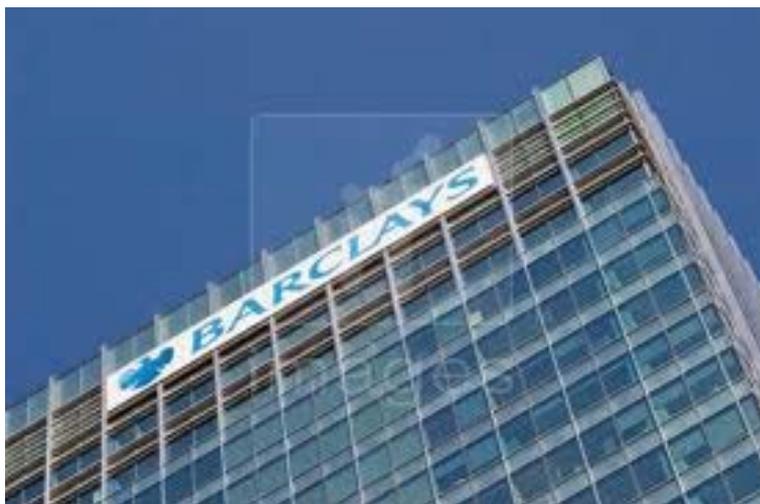
³ In England, Aal buildings built before 1700 which survive in their original condition are listed, as are most of those built between 1700 and 1840.

⁴ Rurik is said to be the Russian form of the boy's name Roderick, originally an old Norse or Germanic name.

⁵ It is said that the surname of 'Jutting' is a very old English surname from as far back as 300 years ago. See search.ancestry.co.uk, accessed 24 November 2014.

⁶ Editor, 'Rurik Jutting: a lonely world of sex, drugs and money', *Telegraph Newspaper*, 8 November 2014.

⁷ Rob Bleaney, 'Rurik Jutting: Bargain hunting Brits battle to snap-up apartment in block where banker allegedly murdered two prostitutes', *Mirror Newspaper UK*, 23 Nov 2014.



Barclays International Bank, London. Source: Google.

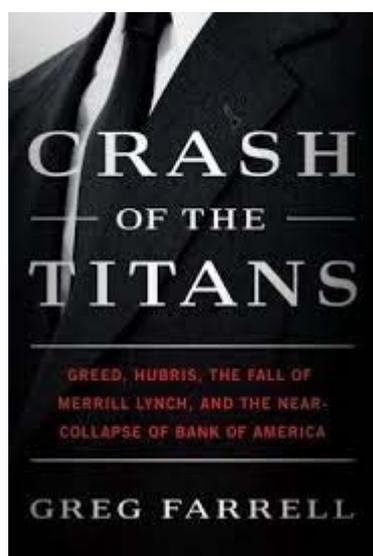
He then obtained a position as an investment banker at Barclays Bank and just as the

Barclays fraud hit the news he moved to another job at the Bank of America Merrill Lynch⁸ in the year 2010 and in July 2013, he was transferred/seconded to their offices in Hong Kong where he lived at the plush apartment rented at number 60 Johnston Road, Wan Chai, Hong Kong for £2,000 monthly. His earnings were reported to be £350,000 per annum.

⁸ See Farrell, G. (2011) *Crash of the Titans: greed, hubris, the fall of Merrill Lynch and the near collapse of the Bank of America*, London: Crown Business.



Bank of America Merrill Lynch



Farrell's book: ISBN 13-978-0307717870

Academically, he was very able because he won a scholarship to Winchester College, a school which was started by Royal Charter in the year 1382, the buildings surrounded by 250 acres of woodland. Winchester was loved by and often frequented by Royalty.⁹



⁹ John Hall, Simon Tomlin

son, 'The sinister pictures of 'psycho' killer Rurik Jutting at the prestigious £34,000 a year Winchester College', *Daily Mail Newspaper UK*, 6 November, 2014. See <http://www.dailymail.co.uk/news/article-2822101>, accessed on 24 November 2014.

Winchester College, UK. Source: Google

Deceased victims Jesse Lorena Ruri and Sumarti Ningsih

Rurik Jutting had been remanded in custody in Hong Kong in November 2014 after police found one dead body in a suitcase on the balcony of the rented apartment in the early hours of the day after 'Halloween' night. She was thought to be dead for several days. This first victim was killed on 27 October. She was Sumarti Ningsih, aged just 23 years old.



Sumarti Ningsih

The second female victim was barely alive when police arrived but died shortly afterwards in the apartment from knife wounds to her neck and buttocks. She was a 30 year old Filipina sex worker known as Jesse Lorena Ruri.



Second victim: 30 year old known as Jesse Lorena Ruri

He was taken to a secure psychiatric hospital for intensive tests to find out whether he is fit to plead.

Jutting held 'fit to plead'

On Monday, 24 November 2014, doctors reported that he is fit to plead¹⁰ and his trial for the murder of two young Indonesian women is due to begin in the New Year 2015. Jutting had been charged on 4 November 2014 with the murder of Sumarti Ningsih and Seneng Mujiasih, who were found dead in his flat on 1 November 2014.¹¹ The two Indonesian women were both originally on domestic workers visas to Hong Kong but ended up working in the sex trade in the 'red light' district near where Jutting had rented a highly expensive and 'plush' apartment.

Murder trial due to begin on 6 July 2015 in Hong Kong

Subsequent to the psychiatric report on Jutting, Her Honour, Justice Bina Chainrai ruled that Jutting was mentally fit to stand trial.¹²

¹⁰ Sam Rkaina, 'Rurik Jutting: British banker ruled mentally fit to stand trial for double murder', *Mirror Newspaper UK*, 24 Nov 2014.

¹¹ Anthony Kwan, 'British banker Rurik Jutting charged with two counts of murder', *Google News*, 4 November 2014.

¹² Editor, 'British banker Rurik Jutting ruled fit to stand trial' for Hong Kong murders', *Guardian Newspaper*, 24 November 2014.



Court-Hong Kong

The murder trial has been set to commence on 6 July 2015, because the prosecution requested additional time to consider all the evidence. Mr Jutting has yet to enter his plea.

Peterhouse College Cambridge

Rurik Jutting attended Cambridge University in the UK, where he read History and Law.



Peterhouse College, Cambridge University, UK

After this, he was successful in obtaining a position at the Barclays Bank and then Bank of America Merrill Lynch. In July 2013 he was transferred to the Hong Kong Branch of Merrill Lynch and his accommodation paid for in a building near his offices. He had been in his Hong Kong job for 19 months.

Jutting's resignation at end of October 2014

At the end of October 2014, Rurik Jutting handed in his resignation from his job.

Soon after this he murdered his two sex worker friends and he himself telephoned Hong Kong Police to alert them of the murdered women, one freshly attacked, the other six days before. Jutting is alleged to have left a sinister email response message at his bank email account. He was allowed to 'resign' rather than be dismissed because the bank probably expected his misdemeanours to be hidden away once he was gone, only he blew it for Merrill Lynch because he is now charged with two murders to date.¹³ A full-scale banking investigation is awaited in the public interest. I am sure that, like Enron,¹⁴ Bank of America Merrill Lynch has a Code of Ethics handbook, such handbook as Enron disregarded.



¹³ It was reported that one of the victims sent a friend a final message on his mobile phone. See Editor, 'Rurik Jutting: victim sent final message- 'I want to get out'', *The Week*, 11 November 2014. See www.theweek.co.uk/uk-news/rurik-jutting/61141/. She made this call just 20 minutes before he was killed.

¹⁴ Enron was the American corporation where executives were charged with self-dealing, accounting irregularities, debt camouflage, insider trading, and breach of fiduciary duty. See Cruver, B. (2003) *Enron: anatomy of greed*, London: Arrow Books.

Hong Kong's 'red light' district. Source: Google.¹⁵

Bodies released to the women's families

After post-mortem examinations had been carried out, the bodies of Sumarti Ningsih and Seneng Mujiasih (aka Jesse Ruri) were then released to their respective families for burials.

Sex workers seek 'easy money' and hope for a Western husband

Sumarti Ningsih has a young son living in Indonesia. Many young ladies from Indonesia go to Hong Kong because of their perception of being able to earn much money and even perhaps find Western husbands to take them away from their lives of drudgery and poverty. Not only this, but young Asian women who choose to become prostitutes in Hong Kong's city centre are driven by other factors apart from the easy money: they have a good time drinking alcohol bought for them by their 'clients', something they themselves could ill afford and a substance which does not inhibit their antisocial behaviour of prostituting themselves. In their home countries drunkenness would be prohibited and frowned upon.

Jutting's mitigating move?

On 1 November 2014, Rurik Jutting telephoned police and told them that he had killed some women whose bodies were still in his expensive rented apartment in the Wan Chai nightlife district.¹⁶ Two days later police charged him with the murders which appear to have

¹⁵ See web page

<http://www.google.com/hostednews/getty/article/ALeqM5i1nzlcwzSBEFVaCn613OUYyk8YIw?docId=458411392>, accessed on 24 November 2014.

¹⁶ 'Nightlife district' is commonly termed 'red light district' in other countries, including in the United Kingdom.

happened a few days apart. Ms Mujiasih's body was found in the living room with knife wounds to her neck and buttock. She did not die until some minutes after police arrived. Ms Ningsih's body was found a few hours later in a suitcase on the balcony. Police were busy trying to save the dying woman and it was several hours later whilst collecting evidence concerning the recently dead woman that police discovered the suitcase which held the younger woman since 27 October 2014.

Prices in the plush J Residence Building in Wan Chai, at the centre of Hong Kong, have plummeted since the body of Seneng Mujiasih, aged 29, was found with her throat slashed and the body of a second woman Sumarti Ningsih, aged just 23 years old, was found in a suitcase on the balcony of Jutting's rented apartment on the 31st Floor of the building.

On Monday 24 November 2014, Jutting appeared in a court in Hong Kong to answer two charges of murder. But he did not enter a plea and his legal team confirmed his approval of the postponement of his murder trial.

News reports that he is keen to have a meeting with the British Consul may be because he has squandered all of his past earnings and has no cash with which to pay for legal defence.



British Consulate, Hong Kong.

A quick calculation of his gross earnings of £350,000 per annum for 18 months shows that he has earned a gross amount of 525,000 since working in Hong Kong which must have netted him a total of £312, 400 after tax and National Insurance Contributions and rent. Unless he has salted away a quarter of a million pounds one must assume he spent a vast amount of money on cocaine, other illegal drugs and on prostitutes.

Issues not yet addressed in this murder case

(a) Extreme use of drugs and sex and alcohol

What is it about being in a geographically different place that makes a person act completely out of character with no restraints? Were the drugs, sex and alcohol the reason for Jutting to become a murder suspect for two prostitutes found dead in his apartment? Normally police believe that if the victim is a prostitute, then this immediately raises questions about which her clients were and what the possibilities are that one of her clients was the culprit. Since jutting was a customer of both prostitutes and they were both found dead in his apartment, he can reasonably be suspected of the murders.

As to Jutting's alcohol misuse, the harms of alcohol misuse are well documented as being:

(i) health harms to the individual; (ii) close links to crime, disorder, anti-social behaviour, and other crime types such as domestic and sexual violence, and drink driving, and its impact on victims; (iii) loss of workplace productivity and (iv) social harms, including problems within families, young people and communities.¹⁷

¹⁷ See UK Violent Crimes Disorder Act 2006. See also <http://www.homeoffice.gov.uk/documents/Alcohol-strategy.pdf>. Hong Kong is unlike the UK in respect of prostitution and alcohol disorder. Both are allowed in Hong Kong whereas in the UK there are Alcohol Disorder Zones which would apply to this red light district in Hong Kong's city center.

b) No restraint on Jutting's sexual depravity

The place where the bodies were found- Jutting's apartment- carries great potential import in understanding the nature of the murder and of the killer and the significance of the location of the death is often only considered tangentially.¹⁸

Police detectives have a procedure to investigating murder: securing the scene at which the body was found; obtaining forensic evidence; calling in the forensic scientists; seeking witnesses; making public appeals for information; all with the aim of obtaining evidence, directly relevant practical indicators that will create a trail leading to the murderer.

In this instance police found the bodies in the banker's apartment and this closes many avenues of defences he might think of. He has been found fit to plead and so cannot plead insanity. The bodies were in his apartment and he had no friends apart from the many female prostitutes he frequented and so cannot blame anyone else for the murders. A relevant knife was found in his apartment and both women died from knife wounds. Illegal Class A drugs were found in his apartment.

The amounts of alcohol he consumed over the 19 months he lived in Hong Kong can easily be verified in the retail establishments he frequented and from his bank accounts. There was a copious amount of blood from the victims on his apartment walls. The neighbours complained of the smell of dead animal coming from the vicinity of his apartment. Police did not need to look far to recreate his disgusting depraved sexual activities because he had recorded many of them on his smart phone.

¹⁸ Canter, D. (2003) *Mapping murder*, London: Virgin Books.

His meetings at entertainment bars and clubs in Hong Kong may very well still be found in those establishments' CCTV cameras. The sexual availability he found in Hong Kong's city centre was not curbed by the restraint of funds and was actually actively encouraged by the prostitutes he frequented and sex was his driving fascination,¹⁹ instead of financial ethics. There are all sound reasons for concluding that Jurik Jutting was the murderer. Why he murdered these women is quite easily fathomed out- because he saw himself as a wealthy and superior Englishman and he saw these women as consumables.

(c) Jutting's depravity goes hand in hand with the frauds he committed as a banker

Jutting probably realised that soon his financial crimes would catch up with him and when they did and his licence was withdrawn, he just let go of all inhibitions and killed those in proximity to him- his prostitute friends. In Hong Kong, he gorged his sexual craving without fear of disturbance.²⁰

Jutting had worked at Barclays until 2012 when news was released of massive tax fraud being carried out for customers of Barclays to hide their earnings in suspicious investment vehicles. In fact British regulators had Barclays in its radar since 2007. The UK Financial Services Authority (FSA) had reported Barclays Bank to the Office of Fair Trading ('OFT') in the year 2007, (Barclays, trading under the name of UK mortgage provider *The Woolwich*)

¹⁹ Ibid, pg 48.

²⁰ Ibid, pg 49.

for undertaking not to use *The Woolwich's* terms, which the FSA deemed to be unfair practice.

Under the terms of the unfair terms in consumer contracts regulations, the FSA challenged firms (referred to it by consumers, enforcement bodies and consumer organisations) that were using terms it deemed unfair to consumers. Following the FSA's recommendations, the OFT published the FSA's results, including the name of the firm, on its consumer regulation website. The FSA then recommended that other financial services firms that have not given an undertaking or been subject to a court decision, as part of their risk management process, should remain alert to undertakings or court decisions concerning other firms. The OFT launched its test case against unfair bank charges in July 2007.

(d) There can be no request by the British Consulate for extradition to the UK

This is because all the evidence concerning these murders remains in Hong Kong.

(e) Notes on the banking financial crisis

It is not known whether Jutting was involved with the huge Barclays mortgage fraud in 2007. but that case was settled out of court in the year 2012. Barclays had sought damages from mortgage brokers Savills Private Finance and had launched a professional negligence case against Saracens LLP solicitors, but the matter was settled in 2012 concerning an overstated valuation of £19.5 million rather than the more accurate valuation of £10.6 million.²¹

²¹ Rosalind Renshaw, 'Huge mortgage fraud case between Savills and Barclays settled', *Estate Agent Today*, 29 June 2012.

Financial crisis and even bankruptcy is the resulting appreciable symptom of economic ill-health of any dysfunctional country, other symptoms within such a country being: mortgage foreclosures; unabated greed; the resultant public mayhem caused high-level recklessness and foolhardy risk-taking by that state's government²² and corporations. The practices by the state's population of abuse of alcohol, cigarettes and illegal drugs; the social vice of reckless gambling²³ which perpetuates the belief and wish of the faint possibility of immediate financial satisfaction without labouring for such financial rewards with miniscule chance of winning it; of unsustainable repayments of very large borrowing to buy the many luxuries advertised in magazines, on television and in shop windows; and generally the misguided and uninformed notion of the *right* to such luxuries, unreasonably believing that if a successful, hard-working film star can live a certain high-standard lifestyle, so must the man in the street, notwithstanding that he did not appropriately educate himself, nor train arduously, nor work extraordinarily long hours every day without enjoying a family life or leisure time.

Finally and most importantly, crisis is brought about through criminality within a country's population, (ie the United Kingdom's). Such has been the extent of the resultant financial crises in the EU, that sixteen Member States ratified a treaty, the *European Stability Mechanism Treaty 2012*, which has the objective of safeguarding the sixteen Member States (which ratified this Treaty) against becoming bankrupt.²⁴ News reported on 30 January 2014

²² In the end, such a state must seek rescue. For example, the way that the United States Federal Reserve had to deliver the anticipated further US Dollars 10 billion of tapering on 29 January 2014. See Editor, 'Tapering goes as planned' *Financial Juice*, 30 January 2014.

²³ It must be noted, however, that in the UK, gambling is a legal activity. In 2013, the revenue from gambling in the UK was £70 billion! In the UK Parliament, it must be noted, has been the grave concern for gambling shop staff, many of whom have been beaten up by gambling members who were angry at losing their money.

²⁴ The 2010 United States financial news that 32 states were bankrupt in the year 2010 has never hit the UK media. This frightening lack of important public information illustrates UK nonchalance. See website <http://www.zerohedge.com/article/32-states-now-officially-bankrupt-378-billion-borrowed-treasury-fund-unemployment-ca-mi-ny-w>, accessed 31 January 2010.

illustrates that the European Union Court of Justice is an adequate mechanism to check any unfair practices in EU businesses. The news reported by *Reuters* was that the Luxembourg-based European Union ('EU') Court of Justice rejected an appeal by the international credit-card company, *MasterCard*²⁵ against an EU ban on its cross-border credit-card fees. The advisor to the EU Court of Justice ('the court'), Advocate General Paolo Mengozzi, said, on behalf of the court:

*'I propose that the court should dismiss the main appeal and the cross appeals.'*²⁶

On 27 September 2012, the European Stability Mechanism (ESM) was ratified by sixteen of the seventeen EU Member States who had been signatories. This 2012 ESM Treaty then became an international organisation located in Luxembourg. The ESM²⁷ is the permanent 'firewall' for the 'eurozone' and its objective is to safeguard and provide the Member States which ratified it by providing them with instant access to financial assistance. All new bailouts for any eurozone member state will now be covered by ESM, while the EFSF and EFSM will continue to handle money transfers and program monitoring for the previously approved bailout loans to Ireland, Portugal and Greece.

²⁵ *Mastercard* is owned by Barclays Bank plc.

²⁶ The judges at the European Union Court of Justice usually follow the advisers' recommendations in the majority of cases and it is expected that the judges will make their decision and accompanying caselaw report, in the coming months.

²⁷ The ESM replaced two earlier temporary EU funding programmes, namely, the European Financial Stability Facility (EFSF) and the European Financial Stabilisation Mechanism (EFSM).

The UK can be dispassionately analysed to conclude that its embedded greed clouds its legal and constitutional judgment. Such greed is akin to stockbrokers' greed. Has anybody in the UK ever seen a job vacancy advertised for a stockbroker? *No. Why?* Because only by '*word of mouth*' (despite the Anti-discrimination laws including the Equality Act; the Employment Acts; the Financial Services Acts and the Human Rights Act) can one usually be allowed into this sacred financial industry, where, despite the financial regulations and statutes in place (so as to instill confidence in our financial system) some insiders would say that it is 'business practices as usual' in the industry, for, which insider stockbroker would whistleblow?

Whatever happens to the UK, brokers are the winners: stocks are bought and brokers gain; stocks must be sold and again, brokers gain. Brokers' firms are replete with wives, sons, daughters (*and other such non-arms-length relationships*). A broker may pay his non-working wife a handsome salary totalling £100,000.00 per annum (complete with membership of the firm's pension scheme, etc) and all that the said wife might have done all year was to choose the wallpapers for the office, or to buy the champagne for the summer party.

Conclusion

Rurik Jutting may have been bright academically but his life is a display of cunning, greedily, depraved and unethical behaviour. Rurik Jutting was educated privately at a prestigious boarding school and it is common knowledge that such wealthy and privileged students misused drugs. A recent survey on schoolchildren in the UK shows that many are abusing and misusing drugs to an epic proportion, starting from as young as 10 years old. Jutting also misused alcohol. Children take their footsteps and habits usually starting in the home- from

friends and family. We must never forget that alcohol and commercial cigarettes too, are dangerous drugs if people becomes addicted to them, notwithstanding the cost that society must bear through domestic violence; and the cost of the added financial burden to society when early deaths occur through alcoholism; lung diseases; drug addiction; and prostitution. This amounts to billions of pounds each year. Finally and most importantly, there are those who believe that such global financial crisis as has been seen recently is brought about through criminality within a country's population, and a sore lack of training in business ethics.

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