

22nd June, 1987

A.G. -v- James Neilson Mutter

Before the Bailiff, assisted by Jurats Perrée, Lucas and Bonn.

THE BAILIFF: This case has given the Court some difficulty in deciding what the appropriate sentence should be, but before announcing our decision, which is a majority decision, I have to say this. We have read the letters very carefully that you have produced Mr. Le Cornu, and it appears to us to disclose an appalling state of affairs; that there are people in this Island who place musical cultural life above justice and morality - I can't express myself clearer than that, and all I can say to those people is that they got their priorities totally wrong. Now, having said that, and having regard to the facts of this case, there is no doubt Mutter, that you deserve a prison sentence, and indeed one of the Jurats would have imposed a prison sentence. Two of the Jurats accept what has been said by the Solicitor General, and counsel on your behalf, that there could well be repercussions in a way I needn't stress, that in this case and in the exceptional case, but also because of your previous good character, you can merit a sentence of probation. I want to stress that you know perfectly well, that you were in a position of trust, and you abused that trust, and that is indeed again something that those parents who have written to us appear totally to overlook. But we do accept that it was an aberration and having said that it is for that reason mainly that the two Jurats who have accepted the conclusions of the Crown are prepared to place you on probation. We trust that nothing like this will happen again, because if it does you know what to expect. Therefore you are placed on probation for two years, to live and work where told by your Probation Officer and to do what he tells you and you will perform 240 hours of Community Service.

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