

In this assignment we are going to discuss whether jury trials should be abolished in England and Wales. I will start by giving you an insight on how the jury works, who makes up a jury and in what courts juries will sit. Juries are a group of twelve people that listen to a legal case and listen to both the defence and prosecution's evidence and then have some time in a room on their own as a group to discuss the case and decide the outcome by giving a verdict of guilty or not guilty, this decision could take one hour or sometimes several days. They need an outcome of at least ten people to agree to reach a majority verdict. I had this information from the book by Gillespie, A. and Weare, S. (2021) *The English legal system*. Eighth edition. Oxford: Oxford University Press.

Juries must be on the electoral roll and must have lived in the United Kingdom, Channel Islands or the Isle of Man for the last five years. You also must be between the age of eighteen and seventy-five but up until April two thousand and seventeen the maximum age was seventy so said Partington, M. (2021) *Introduction to the English legal system*. Fifteenth edition. Oxford, United Kingdom: Oxford University Press.

This was the first change in England and Wales in almost thirty years and in the words of Justice Minister, Sir Oliver Heald QC said that people are living longer and healthier lives, so it is right that our courts can benefit from their wisdom and experience that older people can offer. Based on google the Ministry of defence (2016). Available at: <https://www.gov.uk/government/news/jury-age-limit-to-be-raised-to-75-in-england-and-wales> (accessed July 2022).

You will only find a jury in England and Wales in the Supreme Court and Crown Court as these are the only courts that will use a Jury to decide the outcome of legal cases because it is the court of serious offences.

There are lots of problems with the jury selection process but two of the big problems is time and money because if you get selected which will be randomly from the electoral register you will receive a jury summons which you must respond to within seven days to confirm if you can attend or not. If you can attend jury service, there will be a DBS check which means disclosure and barring service this check used to be known as CRB which means criminal records bureau check this service was launched in two thousand and two and was in place until two thousand and twelve when the DBS check was introduced. This was based on google Gov.uk DBS check (2022). Available at: <https://www.gov.uk/request-copy-criminal-record> (accessed July 2022).

A DBS check will cost around eighteen pounds on the gov.uk site but depending on what site you apply for it could be a lot more, so if you time that by twelve that's a big cost before you even start jury service, and this could be at a higher cost depending on the outcome of the DBS check. The DBS check is a service that checks your criminal background to see if you got any criminal convictions and to verify your identity and that you're a person of good character and suitable for the role in the jury also that you are a person that won't put any risk to the safety of other people. This was based on google Gov.uk DBS check (2022). Available at: <https://www.gov.uk/request-copy-criminal-record> (accessed July 2022).

This service also takes up to fourteen days for you to receive your results and you will receive a certificate of proof, so from sending you a letter of summons for jury service which you have seven days to reply to, you can potentially wait up to fourteen days for your DBS check to come back with your results. so, this is a process that could take up to three weeks and if the check is unsuccessful and the person or persons that aren't acceptable for jury service then this process has got to start all

over again which occurs more costs and more time. based on the Google Gov.uk DBS check (2022). Available at: <https://www.gov.uk/request-copy-criminal-record> (accessed July 2022).

Jury service can last up to ten working days you won't be paid for your service but you can claim money back as loss of earnings and you can also claim travel expenses so all this takes time to sort out and costs a lot of money in claims for loss of earnings and expenses, in some circumstances the case can last longer than ten days which will also mean bigger overall costs. All the actual figures to what we have discussed can be found on gov.uk Jury expenses (2021). Available at <https://www.gov.uk/jury-service/how-to-claim-expenses> (accessed July 2022) and will differ depending on if you are an employee or self-employed or unemployed.

Not everyone is eligible for jury service under the jury's act 1974. Jury service act (1974). Available at: <https://www.legislation.gov.uk/ukpga/1974/23/section/1>(accessed July 2022). In section one of the jury act nineteen seventy-four states that you will permanently be disqualified from any jury service if you have been sent to prison for life or been in prison for five years or more or had detention for public protection and even if you have had an extended prison sentence. Also, you can't serve as a juror anytime in ten years if at any one time in ten years you have served a prison sentence or even received a suspended sentence and if you have received a community order or any other community sentence given to you. Even if you are currently on bail in any criminal proceedings you are also not allowed to attend jury service and if you have a criminal past or have done any of the things I have spoken about in the above comments, and you don't tell the courts and turn up for jury service you could have a fine of up to five thousand pounds. This was found on google by Lucy Traveyan (2011) Available at: <https://www.inbrief.co.uk/legal-system/jury-selection-process/> (accessed July 2022).

There have been quite a few cases of miscarriage of justice because of jury trials and one I'm going to talk about is the university lecturer Theadora Dallas who taught psychology at the university of Bedfordshire she was thirty four at the time and she was given six months for carrying out a online research about the criminal defendant on July two thousand and eleven, she carried out the search in her own home and then told another juror when they was deciding their verdict this resulted in the her getting found guilty of contempt of court by three high court judges, she was giving a six month sentence which she served three months. This situation caused the judge to halt the case because it would have been an unfair trial, the case was postponed until a later date as there would be a different jury line up. The defendant was later found guilty. On google by Owen Bowcott (2012). Available at: <https://www.theguardian.com/law/2012/jan/23/juror-contempt-court-online-research> (accessed July 2022)

From a report Simon Jenkins from The Guardian newspaper done in two thousand and one discussing the backlog in court cases in England and Wales. He reports that from the Covid pandemic there has been an increase in criminal cases of around the one hundred thousand mark this figure is now to around four hundred and fifty-seven thousand criminal cases to be heard. Over half of the courthouses in England and Wales which is four hundred and ten they are reported to be unsafe or out of use so as a result of these figures twelve percent of people in prisons in England and Wales are on remand and waiting trial. Justin Russell the chief inspector of probations has said that there is a risk that victims and witnesses after this time will find it hard and a struggle to remember what has happened in the crimes that have been committed which could cause the prosecution to collapse leading in an unfair trial. He also said that juries should be abandoned in most cases and only used in more serious cases. He also adds that as a three term Juror he is convinced that juries are a costly indulgence and have no experience or knowledge in the justice system apart from distorting it.

This is on google Justin Russell (2021) Available at:
<https://www.theguardian.com/commentisfree/2021/jan/22/justice-system-crisis-abolish-jury-trials-covid> (Accessed July 2022).

With abolishing Juries, it has already taken place in a hand full of civil in England and Wales resulting in no effects to the system so now juries only decide one percent of criminal cases in a review in two thousand and one of the criminal law system Sir Robin Auld agreed with the option off having a specially trained singled judge and two lay people who had expertise in the subject. But it was said there would be a few weaknesses in this process as it would have a limited selection process and the lay member would be at a majority of two to one so this would limit their powers and could be seen to undermine the usual way on criminal law to convict. Allbon, E. and Kaur Dua, S. (2020) Elliott and Quinn's English legal system. Twenty-first edition. Harlow, England: Pearson,

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gov.uk Jury expenses (2021). Available at <https://www.gov.uk/jury-service/how-to-claim-expenses> (accessed July 2022)

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