

JUROR

Observe Listen Decide

Jury Service

A rewarding responsibility



Justice
Office of the Sheriff



Introduction from the Sheriff of NSW

Jury Service plays a central role in our justice system. It allows members of our community to play an active role in the administration of justice.

This brochure contains information about the jury system in New South Wales and outlines what to expect when you attend Court in response to your jury summons.

If you have any questions about this brochure, or the summons you have received, please contact the Jury Information Line on 1300 722 574 or your local Sheriff's office. Contact details are included on your summons and at **juror.nsw.gov.au**

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Being chosen for Jury Service

Your name has been randomly selected from the jury roll for your district, based on information supplied by the Australian Electoral Commission.

If any of the personal details listed on your summons have changed please advise the sheriff's office, as a change of address may mean that you are no longer required to serve as a juror. If you do not tell us about an address change, you may miss a summons and have to pay a fine for non-attendance.

The role of a jury in a trial

In a criminal trial each juror's function is to hear evidence, apply the law as directed by the Judge and decide if a person is guilty or not guilty of a crime. The jury's decision is called a 'verdict'. In NSW, juries do not participate in the sentencing process.

In a civil case, the trial Judge will outline the issues that the jury needs to decide. Civil trials in NSW are usually in defamation proceedings.

Overview of the Jury Service Process

1. Notice of Inclusion (you may be selected in future)
2. Jury Summons (you have now been selected to attend Court)
3. Arriving at Court (attend the jury assembly area)
4. Jury Selection (random selection)
5. Juror Support Program (support after jury service)

Being removed from the Jury Roll

Certain categories of people are excluded from serving on a jury and others can ask to be excluded.

People disqualified or ineligible

If you fall into one of the following categories you are not permitted to serve as a juror. Please advise the Sheriff's office as soon as possible so that your name can be removed from the jury roll. Failing to inform the Sheriff of your disqualification is an offence.

- You have at any time within the last ten years in NSW or elsewhere served any part of a sentence of imprisonment (except imprisonment for failure to pay a fine).
- You have at any time within the last three years in NSW or elsewhere been found guilty of an offence and detained in a detention centre or other institution for juvenile offenders (excluding for failure to pay a fine).
- You are currently bound by a Court order made in NSW or elsewhere that relates to a criminal charge or conviction. This includes orders related to:
 - a) a parole order, a community service order, an apprehended violence order or an order disqualifying you from driving a motor vehicle
 - b) a good behaviour bond or an order remanding you in custody or granting bail pending trial or sentence.



People ineligible to serve

People falling into certain categories set out in the legislation are ineligible to serve on a jury. These include (amongst others):

- people employed or engaged (except on a casual or voluntary basis) in the public sector in law enforcement; criminal investigation; the provision of legal services in criminal cases; the administration of justice or penal administration
- people who are unable to read or understand English
- undischarged bankrupts.

People who can be excused

Some categories of people can ask to be excused from serving on a jury. These categories include (amongst others):

- practising dentists, pharmacists and medical practitioners
- carers of children, and carers of ill or disabled people
- people who are unable, because of sickness, infirmity or disability, to discharge the duties of a juror
- people who live further than 65 km from the Courthouse.

If you are unsure whether you are eligible to serve on a jury, please contact the Jury Information Line on 1300 722 574.

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You may also be excused if you have a good reason. This may include:

- temporary absence from your home (e.g. pre-booked holiday commitments)
- sickness or a disability
- exams or study commitments.

As each person's circumstances are different, each application to be excused is considered on its own merit. You should apply to be excused as soon as possible.

If you have an age related issue

You may seek to be removed from the roll under the provision of 'Good Cause'.

The fastest way is online at juror.nsw.gov.au.

Or you can use the space on the back of your jury summons and fax, email or post your application.

Please include copies of any documents that support your application to be excused such as proof of travel or a medical certificate. For a work related reason, include a supporting letter from your employer. Students seeking to be excused on the basis of their studies need to provide a copy of examination timetables or attendance requirements.

Penalties apply for supplying false information.

If you do not turn up

The jury system relies upon the cooperation of all parties. By working together we can ensure that juries are representative of the general community and that the burden of jury service is shared fairly.

If you have not been excused and do not attend Court you will be sent a letter asking you to explain your absence. If your explanation is not accepted a substantial fine may be imposed. You may elect to have this reviewed in the Local Court. If the review is unsuccessful a more significant fine may be imposed by the Local Court. If the fine is not paid increased penalties will apply.

If your employer will not release you

Under The Jury Act (NSW) 1977 and The Fair Work Act (Cth) 2009, employers must release employees for jury service. Please advise your employer that you have received a jury summons as soon as possible.

Employers are liable to severe penalties if, as a result of an employee being summonsed to serve as a juror, they:

- dismiss a person from employment
- disadvantage, alter or prejudice a person's position.

An employer cannot force you to take holidays or sick leave to perform jury service.

If you have any problems with your employer at any time you should contact the Jury Information Line on 1300 722 574 or talk to a Sheriff's officer at the Court. If problems arise while you are serving as a juror you should advise the Judge.

Arriving at Court

Trials sometimes change at the last moment. To confirm you are still required, visit **juror.nsw.gov.au** (or call 1300 780 199) 4pm the day prior to your summons date to see if you are required to attend (or on Friday if you are due on Monday).

To set up SMS confirmations and notifications, visit **juror.nsw.gov.au**

Details of when and where to report are on your jury summons. Please note the location may change. When you attend Court, please bring photo identification and your summons.

If you are not selected you will be dismissed and allowed to leave. However, you may be asked to come back to the Court on subsequent days.

Courthouse security

Security aims to ensure the safety of everyone in the Court complex. You may be asked to pass through security screening such as a personal scanning, scanning of possessions or a bag search.

Items not to be brought into the Court complex include:

- firearms
- knives
- prohibited weapons
- illegal drugs.

Items that are considered to be dangerous may need to be handed over to a security officer for safekeeping while you are at Court, such as:

- tools such as screwdrivers, spanners and hammers
- scissors and other sharp items
- motorcycle helmets
- aerosol cans other than hairspray or perfume
- syringes without a medical authority
- alcohol.

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Arriving at Court

On arrival you will be directed to the jury assembly area, where you will be asked to show identification.

You will be issued with a juror card that contains a unique identifying number. For privacy reasons, this number will be used to refer to you in Court and when selecting the jury.

The jury process will be explained to you and a short DVD will be played.

People who wish to be excused from jury service will have their applications considered. If your request to be excused was rejected, you can apply again at this point, especially if your circumstances have changed.

There may be some delays on your first day while the parties to the proceedings raise preliminary matters with the Judge. The Sheriff's officer will endeavour to keep you informed. It is a good idea to bring some personal reading material in case of delays.

In the Court room

When a trial is ready to commence, a group of jurors will be escorted to the Court room for the jury selection process.

Selecting the jury

The Judge may start by considering applications to be excused. The Judge may excuse a person even if the Sheriff did not.

A list of people involved in the case will be read out such as witnesses, the accused and police officers. If you recognise any of the names or know anyone associated with the trial please tell the Judge.

Juror numbers will be selected at random from a ballot box. If your number is called, you will take a seat in the jury box.

Other people's numbers will be drawn from the ballot box until the required number of jurors are seated.

Challenging potential jurors

The law gives the prosecution and defence the right to challenge (reject) a certain number of potential jurors without giving reasons.

A challenge should not be regarded as a personal criticism. It is a right given by law to the parties involved in the trial. If you are subject to a challenge you must remain in attendance, as you may be needed for other trials.

Once all challenges have been exercised and the required number of jurors is attained, the selected jurors will be asked to swear an oath, or make an affirmation, to carry out their task faithfully and impartially.

Length of trials

Trials can continue for days, weeks or months. Your summons will include an estimate of the length of the trial if it is expected to last more than two weeks. In certain circumstances the trial may vary from the estimated time.

Once you are excused or dismissed

If you are excused from attending Jury Service on this occasion, your name may remain on the roll and you may be summoned again.

If you attend Court willing to serve but are not selected, you may claim an exemption from further jury service for 12 months.

If you serve as a juror you may claim an exemption from jury service for a period of three years.

Further Information

Your privacy

The Jury Act (NSW) 1977 restricts access to your personal information. At no time will your name and address be used during the jury selection process other than for administrative purposes. Please do not disclose your personal details to an unknown person. If in doubt, please ask the person for identification or advise a Court officer or Sheriff's officer.

Jury attendance fees

The current scales of daily fees and allowances payable for attendance for jury service can be found at juror.nsw.gov.au/fees or by telephoning the Jury Information Line on 1300 722 574.

People who attend Court on the first day for more than four hours and are willing to serve but are not selected for Jury Service will be paid a travel and attendance allowance.

Selected jurors who are not paid their full wage or salary by their employer whilst serving as a juror will receive a jury allowance and a travel allowance for each day they attend Court.

Note: Jury attendance fees may be subject to income tax. We recommend that you obtain independent taxation advice.

Car parking

Car parking is not available at any Court complex. The Sheriff's office cannot reverse a parking infringement notice incurred whilst attending jury service.

What to wear

Neat and tidy daywear is appropriate.

Smoking

Smoking is not permitted in Court complexes.

Mobile phones

If you are empanelled as a juror, access to your mobile phone during Court hours may be restricted.

Disability information

If you are not sure whether you can participate in a jury because of a disability or illness, please contact the Sheriff's office to discuss your situation, and any reasonable adjustments that can be made to assist.



Translating & Interpreting

English

For an interpreter please phone the Translating and Interpreting Service (TIS) on 131 450 and ask them to contact us on 1300 722 574 for help. TIS is open seven days a week, 24 hours a day.

باللغة العربية / Arabic

إذا احتجت لمترجم شفوي فالرجاء الإتصال بـ (خدمة الترجمة الكتابية والشفوية) Translating and Interpreting Service – TIS على هاتف رقم 131 450 ثم اطلب منهم الإتصال بنا على هاتف رقم 1300 722 574 لتقديم المساعدة.

Chinese/中文

如需传译员协助，请致电 Translating and Interpreting Service – TIS (翻译和传译服务处)，电话 131 450，要求他们为您拨打电话 1300 722 574，与我们联系 TIS每周7天、每天24小时工作

فارسی / Farsi

برای مترجم شفاهی لطفاً با (Service – TIS) (خدمات ترجمه شفاهی و کتبی) به شماره 131 450 تماس گرفته و از آنها تقاضا کنید تا برای کمک، با ما با شماره تلفن 1300 722 574 تماس بگیرند. TIS به صورت شبانه روزی می‌باشد.

Korean /한국어

통역사가 필요하시면 Translating and Interpreting Service (TIS) (한국어 번역 및 통역 서비스) 131 450으로 전화해서 1300 722 574 번으로 저희와 전화 연결을 요청하십시오. TIS 는 일일 24시간 1주일 7일간 이용가능합니다

Turkish /Türkçe

Tercüman için lütfen 131 450 numaralı telefondan Translating and Interpreting Service'i (TIS – Yazılı ve Sözlü Tercüme Hizmeti) arayarak yardım için 1300 722 574 numaralı telefondan bizimle temasa geçmelerini isteyin TIS yedi gün 24 saat açıktır

Vietnamese/Tiếng Việt

Để tìm một thông dịch viên, xin điện thoại tới Translating and Interpreting Service (TIS) (Dịch Vụ Thông - Biên Dịch) tại số 131 450 và yêu cầu họ liên hệ với chúng tôi theo số 1300 722 574 để được giúp đỡ. TIS làm việc bảy ngày một tuần, 24 giờ một ngày

For more information or alternative formats of this brochure such as braille, audiotape or large print, contact:

Jury Information Line 1300 722 574

Fax 02 8688 9677

Locked Bag 5019,
Alexandria NSW 2015

Hearing or Speech impaired?

Call us via the National Relay Service on 133 677 then ask for 1300 722 574

Email sheriff.jury@agd.nsw.gov.au

juror.nsw.gov.au

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