

INFORMATION ABOUT JURY SERVICE

WHAT IS A JURY?

A jury is an important part of the criminal justice process. Jury service is one of the most important rights and responsibilities that we have as members of the Australian community.

Juries are used in all criminal trials in the Federal Court of Australia.

A jury is made up of people chosen on a random basis from the general community. The jury is responsible for deciding whether or not the accused person is guilty.

A judge will preside over every trial. The judge will make rulings on legal issues, and will assist the jury to perform its task. However, only a jury can decide whether a person is guilty or not guilty.

WHO IS ELIGIBLE FOR JURY SERVICE?

Any person who is eligible to vote in a federal election is also eligible to perform jury service in the Federal Court. However, some people are exempt from jury service because of their profession or because they have a criminal record, or for other reasons.

For more information, see *Information sheet 1 – Eligibility for jury service and disqualification from jury service*, available on the Federal Court website at: www.fedcourt.gov.au/going-to-court/jury

If you are not eligible for jury service, and you have received a jury questionnaire or a jury summons, you should draw that matter to the attention of the Sheriff when you reply to the questionnaire or you respond to the summons.

IF YOU HAVE RECEIVED A SUMMONS FOR JURY SERVICE

If you have received a summons for jury service, you must attend court, unless you are excused from doing so. If you want to ask to be excused from jury service, you should complete the application that is enclosed with the summons and return it to the Federal Court.

If the summons is withdrawn, you will be notified by the Court. If the summons is not withdrawn, you must attend court even if you have asked to be excused.

If you cannot attend court on the day specified in the summons, you should notify the Federal Court as soon as possible, using the contact details shown on the back of this pamphlet.

Note that it is an offence for a person who has been summonsed for jury service to fail to attend court without reasonable excuse.

Not everyone who has been summonsed for jury service will be selected to serve on the jury. The jury will be selected on a random basis from people who attend for jury service.

WHEN YOU SHOULD ATTEND COURT

You should only attend court if you have received a jury summons. The summons will give details of when and where you must attend court.

You must attend court on the day shown in the summons unless you get an email or a telephone call from the Federal Court telling you that are not needed on that day. If you are told that you are needed on a different day, you must attend court on that different day.

A person who has been summonsed for jury service will normally be required at court by 9.00am on the first day of the trial. However, you should check the jury summons to make sure that there are no special arrangements for the particular trial. It is possible that a jury summons may require a person to attend court earlier or later than 9.00am.

ASKING TO BE EXCUSED

The Court recognises that not everyone is able to perform jury service, especially if they have been summonsed for a long trial.

A person can ask to be excused for any of the following reasons:

- the person's health
- undue hardship, financial or otherwise, to the potential juror, or to another person
- recent service on a jury in any jurisdiction in Australia
- substantial inconvenience to the public resulting from the potential juror serving on the jury, or
- inability, in all the circumstances, to perform the duties of a juror to a reasonable standard.

You should also ask to be excused if you know the accused person or any of the people likely to give evidence in the matter, if there is any other reason why you think you may not be able to consider the case impartially.

A person will have three opportunities to ask to be excused:

1. when they receive a jury questionnaire
2. when they receive a jury summons, and
3. when they attend court in answer to a jury summons.

A person can ask to be excused on more than one occasion.

PAYMENT FOR ATTENDING COURT

A person who attends court in response to a jury summons will be entitled to an attendance fee and may also be able to claim travel allowance. A person selected on a jury will be paid a jury allowance.

The rate of fees and allowances change from time to time. The current rates are set out in *Information sheet 2 – Attendance fees and travel allowance*, available on the Federal Court website at: www.fedcourt.gov.au/going-to-court/jury

WHAT YOU SHOULD BRING TO COURT

A person summonsed for jury service should bring the following things with them to court:

- the summons, and
- some form of identification (e.g. a driver's licence).

There will be signs at the court building to direct the potential jurors where they should go. There will also be court officers in the court building. If you are not sure where to go, you should approach a court officer and ask for directions.

HOW LONG IS A JUROR NEEDED?

A person who is summonsed for jury service in the Federal Court will be summonsed for a specific trial. The summons will show the estimated length of the trial.

Not everyone who has been summonsed will be selected for the jury. The Court will summons enough people to form a jury panel and the jury will be selected from that panel.

A person who is not selected on the jury can normally leave court after the jury has been selected. However, a person who has not been selected on the jury can remain liable for jury service for up to three months. The person may be required to attend court again at some stage during the three month period.

CONTACT DETAILS

If you need more information about jury service, see the Federal Court website:

www.fedcourt.gov.au/going-to-court/jury

Alternatively, you can contact the Sheriff of the Federal Court by:

email at sheriff@fedcourt.gov.au, or

phone at (02) 9230 8567

(ask to speak to a jury officer).

