



New South Wales Government
Attorney General's Department
Office of the Sheriff

Jury Service

A rewarding responsibility



www.sheriff.nsw.gov.au

A rewarding responsibility

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 www.sheriff.nsw.gov.au

Being chosen for jury service

Your name has been randomly selected from the current 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 in writing, as a change of address may mean that you are no longer required to serve as a juror. Failure to advise of a change of address may result in you not being aware of your summons for jury service and a fine being issued for non-attendance.

The role of a jury in a criminal trial

In a criminal trial the jury's function is to hear evidence, apply the law as directed by the judge and to 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.

The role of a jury in a civil trial

If you are selected as a juror in a civil case, it is important that you listen very carefully to the trial judge, who will outline the issues that the jury needs to decide. Civil trials in NSW are usually in defamation proceedings.

"...as a juror you provide an important community service for our justice system..."





Persons disqualified from serving

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 (excluding 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 the following:
 - (a) a parole order, a community service order, an apprehended violence order or an order disqualifying you from driving a motor vehicle
 - (b) an order committing you to prison for failure to pay a fine
 - (c) a good behaviour bond or an order remanding you in custody or granting bail pending trial or sentence.

Persons ineligible to serve

The Jury Act provides that those people falling into certain categories set out in the legislation are ineligible to serve on a jury. These categories 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
- > people who are unable, because of sickness, infirmity or disability, to discharge the duties of a juror.

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





If you cannot attend this time

You may be excused from attending for jury service if you have a good reason which affects your ability to serve on a jury. These may include:

- > certain childcare responsibilities
- > 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. **Applications should be written** in the space provided on the back of your jury summons and faxed or posted to the address shown on the summons as soon as possible.

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, a supporting letter from your employer should be supplied. 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 receive a written response from the Sheriff's office, please do not assume that you have been excused from attendance. If you have not received written notification that you have been excused please telephone the Jury Information Line or your local Sheriff's office (listed on your summons) for the result of your application.

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 equitably.

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 reason for your failure to attend is not accepted a fine of \$1,100 may be imposed. You may elect to have this reviewed in the Local Court. If the review is unsuccessful a maximum fine of \$2,200 may be imposed by the Local Court. If the fine is not paid increased penalties will apply.

Length of trials

Trials can be as short as three days, several weeks or may last a number of months. If you have been summonsed to a trial expected to last more than two weeks your summons will include an estimate of the length of the trial.



If your employer will not release you

Under the Jury Act, 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 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.

Attending court for jury service

Details of when and where to report are on your jury summons. When you attend court, please bring photo identification (if available) and your summons. Directions to court complexes can be found at www.sheriff.nsw.gov.au

To confirm that your attendance is not cancelled or delayed, please phone the recorded information service listed on the summons before attending court. Recorded information is available from 5pm the night prior to your attendance date. For attendance on a Monday

the message is available on the previous Friday and will remain accessible over the weekend.

Jurors who are not selected will be discharged and allowed to leave the court complex. However, you may be asked to come back to the court on subsequent days.

Arriving at court

You may be asked to pass through security screening on arrival at the court to ensure the safety of everyone in the court complex. The following are not to be brought into the court complex:

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

Possession of these items may result in a person being arrested or fined.



The jury assembly area

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 jury 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 video shown.

People who wish to be excused from jury service will have their applications considered. Applications that have been previously rejected should not be tendered again. However, any new circumstance that may prevent you from serving as a juror will be considered.

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. In the event that there is a delay, it is a good idea to bring some personal reading material.

In the court room

As the trials are ready to commence, prospective jurors will be escorted to the courtroom in small groups for the selection process, which is known as 'empanelling' the jury.

The judge will start by considering applications to be excused. The judge may excuse a person even if the Sheriff did not excuse a person for that reason.

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 advise the judge.

The judge's associate will then draw cards containing each juror's unique identification number from a ballot box. If your number is called you will be asked to 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.

Your privacy

The Jury Act 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.

Empanelling the jury

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.

A rewarding responsibility

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

If you are subject to a challenge you must remain in attendance, as you may be needed for other trials.

Jury attendance fees

The current scales of daily fees and allowances payable for attendance for jury service can be found at www.sheriff.nsw.gov.au or by telephoning the Jury Information Line.

People who attend court for more than four hours and are willing to serve but are not selected for jury service, will be paid a travel allowance and a fee.

Selected jurors who are not paid their full wage or salary by their employer whilst serving as a juror will receive a jury fee 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.

Once you are excused or discharged

If you are excused from attending jury service on this occasion, your name will remain on the roll and you may be summonsed 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. If you wish to remain on the jury roll please advise a Sheriff's officer or court officer at the time that you are discharged.

Car parking

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

What to wear

Neat and tidy daywear is appropriate.

Smoking and mobile phones

Smoking is not permitted in court complexes.

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. The TTY phone number is 1800 469 889 (for people who have a hearing or speech impairment).



CONTACT INFORMATION

Contact numbers for local Sheriff's offices can be found on your jury summons and on the website.

Jury Information Line 1300 722 574

Office of the Sheriff of NSW

Phone: **02 9209 8222**

Fax: **02 9287 7260**
or **02 9287 7222**

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

Address: P.O. Box 4A
Sydney South 1235
NSW Australia

Website: **www.sheriff.nsw.gov.au**

Translating and Interpreting Service: **131450**

TTY: (for hearing impaired) **1800 469 889**

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Alternative formats: This information can be provided in alternative formats such as Braille, audiotape, large print or computer disk. Please contact Diversity Services on (02) 8688 7507 (voice), (02) 8688 7733 (TTY - for people who are Deaf or have a speech impairment) or diversity_services@agd.nsw.gov.au

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English

If you do not understand this information due to difficulties with your language, please ask for assistance from the Translating and Interpreting Service (TIS) on 131 450.

Chinese

如果你因為語言上的困難而不能明白這份通告，請在週一至週五的辦公時間內致電筆譯及口譯服務處。電話號碼是131 450。

Arabic

إذا لم تستطع فهم هذا الإعلان بسبب صعوبات اللغة ،
إتصل بخدمة الترجمة الكتابية والشفهية للحصول
على المساعدة وذلك على الرقم الهاتفي 131 450
خلال ساعات العمل من يوم الاثنين إلى يوم الجمعة .

Vietnamese

Nếu không hiểu thông báo này vì không thạo Anh Ngữ, xin quý vị liên lạc với Ban Thông & Phiên Dịch (TIS), điện thoại số 131 450, trong giờ làm việc từ thứ Hai đến thứ Sáu, để nhờ giúp đỡ.

Greek

Αν δεν καταλαβαίνετε αυτή την ειδοποίηση επειδή είναι στα αγγλικά, τηλεφωνείτε για βοήθεια στην υπηρεσία μεταφραστών και διερμηνέων (TIS) στο 131 450 στις ώρες εργασίας Δευτέρα ως Παρασκευή.

Italian

Chi, per difficoltà di lingua, non capisse il contenuto di questo avviso, può chiedere l'assistenza del Servizio Traduttori e Interpreti (TIS) telefonando al numero 131 450, durante le normali ore d'ufficio dal lunedì al venerdì.

Spanish

Si no entiende este aviso debido a dificultades con el idioma, pida asistencia al Servicio de Traducción e Interpretación, llamando al 131 450, de lunes a viernes, en horas de oficina.