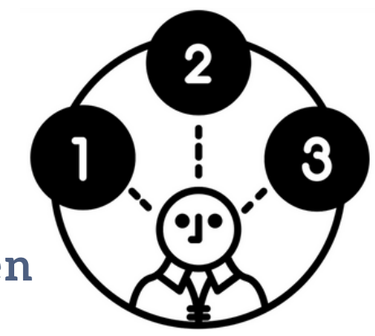
A COMPARISON OF VERDICT OUTCOMES BETWEEN SCOTLAND AND ENGLAND'S CRIMINAL JURY SYSTEMS USING DATA SIMULATION

My dissertation investigates the differences in verdict outcomes – that is, an **acquittal** or **conviction** – between the Scottish and English criminal jury systems.

Scotland's jury system consists of:

- A **15-person** jury
- A **simple majority** voting rule
- Alongside guilty and not guilty, there is a third verdict **not proven** (this counts as an acquittal)



England's jury system consists of:

- A **12-person** jury
- A **near-unanimous** voting rule
- A binary verdict system of **guilty** and **not guilty**

ORMSTON ET AL. (2019)

Ormston et al. (2019) conducted the fields most **ecologically valid**, **large-scale** study which investigated the effect that the **distinct jury features** had on **verdict outcomes** at **juror** and **jury** level across two **different trials**.
Sixty-four mock juries were created, with 16 unique combinations of the three features (e.g. 12 jurors, a simple majority voting rule, and two verdict choices) and were equally split by trial type. Juries watched a high-quality video based on their condition. Jurors (n =864) had to provide an individual verdict, then a jury verdict after deliberating.

The most prominant finding was that **jurors** are more likely to choose a **guilty verdict** when:

- there were **two verdicts** to choose from (guilty/not guilty)
- they were on a **15-person** jury
- they had to reach a **simple majority**

Notably, there were differing effects between pre- and post-deliberation verdicts as well as the type of trial. **The researchers found no effects within jury decision making.**

THE CURRENT STUDY

The current study first sought to **reproduce** Ormston et al.'s (2019) results by conducting **logistic regressions** and did so **successfully**. To read details of these findings, consult Ormston et al.'s (2019) research report.

Bootstrapping techniques were then implemented using their existing data set to investigate if any effects at **jury level** could be determined regarding **jury size, voting rule** and **verdict choices** (independent variables).
Synthetic juries were simulated by reshuffling jurors in each condition to produce new jury combinations (n = 8000) and subsequently, their verdict outcomes (dependent variable).
Across both trial types, there was an **increase** in **acquittals** within **Scottish juries** compared to English juries.

Key limitations:

- **Perfect multicollinearity issues**, meaning the independent variables were merged into one to represent the jury system.
- **Simulated data** was **not truly representative** of the original data (i.e. acquittals appear inflated within simulated data).

Despite being unable to directly address if the unique jury system features had an effect on verdict outcome at jury level within the simulated data, this dissertation is still of interest to digest given its **original methodological stance** and its inspiration for potential future research.

Existing research about the unique features of the Scottish jury system is extremely limited, yet it is important to investigate in order to contribute evidence for legislative reformations.