

High court
jury service



NORTHERN IRELAND

**COURT
SERVICE**

High court jury service

Courts' charter

Introduction

The purpose of this booklet is to answer some of the main questions you may have. It supports the information on your jury summons.

If you are confused or want to discuss any points, please contact the court office at the address and phone number on your summons or on the juryline number given in this booklet.

Why have a jury?

The idea of a jury goes back many centuries and is a long-established part of our legal system. Trial by jury is when a cross-section of society judge a fellow member of society. Seven people, chosen at random, combine their experience, common sense and wisdom to decide the facts and reach a decision in the jury room.

Who serves as a juror?

The law states that every person aged between 18 and 70, who is registered as an elector, is liable for jury service. A panel of people is chosen at random by a computer from the names on the electoral register. Your name is on this panel and you will have received a **jury notice** from your local court office saying that you **may** have to attend court at a later date to act as a juror.

Does everyone on the jury panel have to attend court?

You do not have to be a juror if you are aged between 65 and 70. If this option applies to you, please tell your local court office immediately. You may be excused from jury service because of your profession, for example, a doctor, nurse or teacher or you may be **disqualified** because you have served a prison sentence. There are full details in your jury notice and jury summons.

We may **withdraw** you from the proceedings on the day of the hearing if you know either the defendant or any of the witnesses or have any other connection with the case. If you find yourself in this position, please tell the court official immediately. Also, it is possible that we can excuse you on the day of the hearing. You will have to give your reasons before

the judge in court. He or she will decide if you can be **excused** for that day.

When do I attend court?

A panel of jurors is normally chosen for a four-to-six-week period. You can be called to serve as a juror at any time during this period. The **jury summons** which you have received with this booklet, gives the details, including where you should go and at what time on the first day. The court will tell you what to do after that.

What happens at court when I arrive?

On your first morning at court, a member of the court staff will tell you more about your duties as a juror, either with a short talk or a video.

If you do not attend court, the judge may fine you unless you have a valid reason. You must always remember to bring your jury summons with you to court.

How is a jury chosen?

Seven people form a jury and they are randomly selected. If your name and number are called out (your number is on the top right-hand corner of your jury summons), you will serve as a juror unless the defence or prosecution lawyers decide otherwise. You may be **'challenged'** by defence or prosecution lawyers. If your selection is challenged, we will not ask you to serve as a juror. However, you may be called to serve on the jury in another case. Lawyers, using a list containing names, numbers, addresses and occupations of possible jurors, may challenge you for many different reasons. They won't tell you the reason. It is not personal if you are challenged. Jurors are often challenged and you should not feel

upset in any way if this happens to you.

Must I take an oath if selected to serve as a juror?

A person must either be sworn or affirmed before becoming a juror. The words of the oath and affirmation are similar and mean the same. The purpose of the oath or affirmation is that you publicly confirm that you will consider the issues faithfully, according to the evidence.

The oath

I swear by almighty God that I will well and truly try the issues joined between the parties and a true verdict give according to the evidence.

The affirmation

I do solemnly, sincerely and truly declare and affirm that I will well and truly try the issues joined between the parties and a true verdict give according to the evidence.

What is evidence?

Evidence is what the witnesses say on oath or affirmation in the witness box. It includes any documents or other exhibits which they may provide. There are strict rules about the sort of evidence that can be given in court and about the questions which witnesses can be asked. These are designed to make sure that the trial is fair. Sometimes, the judge has to decide whether it is acceptable or not for the jury to hear certain evidence and if this happens, you will have to retire to the jury room until the judge listens to legal arguments and makes his or her decision. This can last from a few minutes to some hours.

May I take notes?

Yes you may take notes. When witnesses are giving evidence, you may want to take notes. The court provides paper and pens. Notes may help you, but you don't need to make them because the judge will sum up the evidence for you at the end of the case.

May I ask questions?

You may write down a question and ask the jury keeper to pass it to the judge. However, please be sure that you need to ask the question at this stage because you may get the answer as the case continues.

What is a jury keeper?

Once a jury has been chosen, you can communicate with others through a jury keeper. Their job is to make sure no one contacts you during the trial.

Who will be in court?

You will notice several important people in court, each with a particular function.

The **judge** sits at the front of the court and controls the proceedings. He or she controls the trial and decides questions of law. The high court judge wears black robes and is called 'my lord'.

Prosecution counsel is responsible for presenting the evidence in the case to the court. **Defence counsel** tests the prosecution's case and presents the case for the defendant.

Counsel are barristers and always wear a wig and gown.

Instructing **solicitors** sit either beside or in front of counsel. They have previously briefed counsel (that is, given them the details of the case) but they do not normally speak in court except when a jury is being selected.

Throughout the trial, many witnesses may be called, each giving evidence which often can be very detailed and may be specialised. Everything that is said in court is accurately recorded by a tape recording or **stenographer**. The record may be used if the case goes to the Court of Appeal.

The **registrar**, who sits at the front of the court immediately below the judge, gives the oath or affirmation to the jury and co-ordinates the court proceedings. The **tipstaff** who wears a gown will help the judge during court proceedings.

What happens in a trial?

The registrar calls the case. The case before the court could involve an allegation of libel or slander.

Prosecution counsel begins by outlining the case against the defendant calling and questioning witnesses. Defence counsel has the opportunity to question these witnesses, this is called cross-examination. When the prosecution's case is complete, the defence follows a similar procedure by calling witnesses who can be cross-examined by prosecution counsel. Closing speeches are made by defence counsel and prosecution counsel. They will talk directly to you as they present their arguments.

Finally, the judge sums up, referring to the facts of the case and telling you about the relevant law. At this stage, he or she will give you directions and a number of questions for you to write on an issue paper. You will then retire to the jury room to discuss the case. Think about their comments carefully as judges are lawyers with years of experience.

What is the role of the foreperson of the jury?

The first person who is chosen as a juror will be the foreperson of the jury. Their role is to write the jury's decision on the charges on the issue paper (a form that the charges against defendants are listed on).

What happens inside the jury room?

It is inside the jury room that you and your fellow jurors discuss the case by carefully considering the evidence presented in court by all witnesses, the arguments of counsel and the summing up by the judge. **No outside communication is allowed, except through your jury keepers.** We will supply refreshments if necessary.

Please remember that it is a contempt of court, punishable with a fine or imprisonment, for a juror to tell anyone about any statements, opinions, arguments or votes made by members of the jury while they are considering the case.

What happens when the case is over?

When the jury has given its decision, your task is over but please wait until the judge tells you to leave the jury box. When this happens, you may leave the courtroom.

Will I be called again?

As your name is chosen randomly from the electoral register, you may be called at any time. However, you will automatically be exempt for a number of years, currently seven years. When a particularly difficult trial ends, the judge may say that the members of the jury should be excused from any more jury service for a period that the judge thinks is appropriate.

General information

Delay

As it is not always possible to say accurately when a particular case will start, because a previous case may take longer than thought, you may sometimes have to wait at court for what may seem an unnecessary time. The judge and the court staff try to make sure that jurors are not kept waiting and to release the people who are not likely to be needed on a jury on a particular day as soon as possible. However, a reserve of jurors is always needed to allow for possible illness, challenges and so on. If there is a delay, please be patient.

Illness

If you have been summonsed to court for jury service, you can apply to be excused because of ill-health or physical disability. You can apply by filling in part two of the summons or on the day of the hearing. You must have a medical certificate with your application. Regulation 42 of the General Medical Services (Northern Ireland) 1997 states that your doctor must provide this medical certificate free of charge.

Correspondence

If you have to write to the court, please give your name and address and always quote the number shown at the top right-hand corner of the front page of the jury summons. You will find the address of your local court office on both the jury notice and the jury summons.

Juryline phone service

During office hours, you can phone the High Court in Belfast on 028 9023 5111 to get information about whether or not you need to go to court.

Allowances

You may be entitled to various allowances for your jury service. These are:

- **daily travelling allowance** - for the return journey from your home or work to court;
- **a meal allowance** - if a meal is not provided; and
- **financial loss allowance** (within certain limits) - for loss of earnings or benefit or for expenses.

There are more details in the **Allowances for jury service** leaflet which is sent to you with the jury summons.

Please send us your claim within 14 days of completing your jury service.

We will normally make payments within three weeks of receiving your claim.

If you have any questions about your allowances,

you should contact the juries' officer at the address on the jury summons.

Information for people who use the court

Disabled court users

The Customer Service Officer or court staff will be able to give you information about the facilities that are available for disabled people.

When you come to court, you can expect:

- the court building to be open by 9am;
- the offices to be open to the public normally from 9.30am to 1pm and from 2pm to 4.30pm (times may vary according to individual offices);
- polite and helpful staff; and
- clear signs.

When you go to a public counter, we will:

- respect your privacy and discuss any confidential business in private; and
- see you within 10 minutes and if you have to wait longer, a member of staff will explain why.

When you phone a court office, we will:

- answer the phone within 30 seconds;
- give our name; and
- be clear and helpful.

When you write to the court, we will:

- acknowledge that we have received your letter and send you a reply within 20 working days; and

- include the writer's name and how to contact them by phone.

If you ask, we will give you the appropriate forms and show you how to fill them in.

We cannot give you legal advice or tell you what to say.

Helping us improve our service

We want to know how you think we have done and your suggestions on how we might improve. There are comment cards in the main hall of each building.

Other information

There are copies of other Courts' Charter leaflets on our work in every building. If you need more information about our work, you can contact:

**Communications Unit
Northern Ireland Court Service
Windsor House
9-15 Bedford Street
Belfast BT2 7LT.
Phone: 028 9032 8594**

Do you want to complain?

This section explains why we have a complaints procedure and how you should use it.

Why do you have a complaints procedure?

We try to provide an efficient and helpful service to all our customers. However, no organisation can possibly hope to get it right every time. When we get it wrong, we want to hear about it so we can put it right for next time.

Do you get many complaints?

Compared to the amount of business we do in the courts, in court offices, in the Enforcement of Judgments Office and in our headquarters, we receive very few complaints.

What can I complain about?

You can complain about any aspect of our service. This includes:

- the behaviour of our staff;
- wrong, misleading, or not enough information;
- unnecessary delays in dealing with your business; or
- any aspect of our service which you don't think is acceptable.

You can also complain about our facilities in courthouses if you don't think they are up to standard.

Is there anything that I cannot complain about?

You cannot use this procedure to complain about a judicial decision, even if you think that the judge or magistrate made the wrong decision. If you are

not happy about the decision made in your case, you may be able to appeal against that decision. In these circumstances, you should get legal advice as soon as possible.

What if I want to complain about my solicitor or other officials from other departments and agencies involved in my case?

This complaints procedure only applies to our services and the public facilities in courthouses. If you have a complaint about a solicitor or an official from other departments and agencies, you should contact their organisations.

How do I make a complaint?

If you want to make a complaint, you can ask to speak to the senior member of staff on duty in the building that day. By doing this, it may be possible to sort out the complaint as quickly and as simply as possible. If, however, you are still not satisfied, you can complain in writing to the business manager who is responsible for that courthouse. Their name is on display in each office.

Your letter should:

- explain who you are, giving your address and phone number;
- clearly state your complaint; and
- give as much detail as possible about your complaint, including the dates particular events happened and the names of our staff who you spoke to at the time.

We will acknowledge your letter as soon as we receive it. We will fully investigate your complaint and send you a written reply within 20 days.

If you are still not satisfied, you can write to our headquarters. Your letter should contain the same details as before and you should address it to:

**The Private Office
Northern Ireland Court Service
Windsor House
9-15 Bedford Street
Belfast BT2 7LT.**

We will acknowledge your letter as soon as we receive it. We will fully investigate your complaint and send you a written reply within 20 days.

We will treat all complaints seriously and will take action if we find that the level of service or facilities has fallen below our standards.

The Courts' Charter for Northern Ireland

The following leaflets make up the Courts' Charter for Northern Ireland.

- 1 Attending as a witness in a criminal court
- 2 Coroner's court jury service
- 3 Crown court jury service
- 4 High court jury service
- 5 Information for disabled customers
- 6 Information on the family homes and domestic violence (Northern Ireland) order 1998
- 7 Information about pensions appeal tribunals
- 8 Making a complaint about the Northern Ireland Court Service
- 9 Getting a divorce in the High Court
- 10 The work of the coroner's office
- 11 The work of the court funds office
- 12 The work of the enforcement of judgments office
- 13 The work of the office of the social security commissioners and child support commissioners
- 14 The work of the small claims office

You can get local information leaflets about the following court offices.

- 15 Information for people who use Antrim court
- 16 Information for people who use Armagh court
- 17 Information for people who use Ballymena court
- 18 Information for people who use Banbridge court

- 19 Information for people who use Bangor court
- 20 Information for people who use Belfast county court
- 21 Information for people who use Belfast magistrates' court
- 22 Information for people who use Coleraine court
- 23 Information for people who use Cookstown court
- 24 Information for people who use Craigavon court
- 25 Information for people who use Downpatrick court
- 26 Information for people who use Enniskillen court
- 27 Information for people who use Larne court
- 28 Information for people who use Limavady court
- 29 Information for people who use Lisburn court
- 30 Information for people who use Londonderry court
- 31 Information for people who use Magherafelt court
- 32 Information for people who use Newry court
- 33 Information for people who use Newtownabbey court
- 34 Information for people who use Newtownards court
- 35 Information for people who use Omagh court
- 36 Information for people who use the Royal Courts of Justice
- 37 Information for people who use Strabane court