

# Jury Handbook

Supreme Court of the Australian Capital Territory



**Information for persons summonsed and selected to  
serve on an ACT Supreme Court jury.**

*Acknowledgement*

The ACT Supreme Court wishes to thank the late Hon Jeffrey Miles AO, former Chief Justice of the ACT, for his invaluable contribution to developing this Handbook.

**ACT Supreme Court**

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Jury Pool Recorded Message Service: (02) 6207 1792

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## WELCOME FROM THE CHIEF JUSTICE

Welcome to jury service.

People often think that it is judges who decide cases. That isn't necessarily true. In Supreme Court criminal cases, the most important decisions are often made by juries, who represent the broad community from which they are drawn.

If you are selected to be a juror, you will represent the community of the Australian Capital Territory in the criminal justice process. You and your fellow jurors will decide whether an accused person is guilty or not guilty of the serious offence or offences with which they are charged.

Every trial is presided over by a judge, who directs the jury about the law. But the jury – not the judge – decides the facts. The jury must listen carefully to the evidence and then apply the law to the facts in order to decide whether the accused is guilty or not guilty. If the jury finds that the accused is guilty, then the judge is responsible for sentencing the accused.

Everyone has the right to a fair trial. An accused person is presumed to be innocent unless the prosecution proves beyond reasonable doubt that the accused is guilty. It is important that jurors pay attention to all of the evidence, keep an open mind and use their collective common sense and life experiences to decide the case.

Thank you for supporting an open and fair criminal justice system. I hope that you will find your jury experience to be interesting and rewarding.

**Helen Murrell**  
**Chief Justice**  
**ACT Supreme Court**



## YOU HAVE RECEIVED A JURY SUMMONS

### What do juries do?

Juries are an important part of the ACT legal system. Through the jury system, members of the community play their part in the administration of justice.

In most cases where a person is accused of a serious crime, a jury of 12 persons (“jurors”) decides whether the person is guilty or not guilty.

### Why have I been chosen?

Anyone whose name is on the ACT electoral roll may be selected for jury service. Your name has been randomly selected from the electoral roll by a computer program designed for that purpose.

### Exemptions and disqualifications

People who are by law exempt or disqualified cannot serve on a jury. Some other people can claim exemption – that is, certain groups of people can withdraw from jury service if they need to do so, although they are encouraged to serve. Lists of people who are exempt or disqualified are outlined in the [Juries Regulations 2018](#) and provided at the [end of this guide](#). Please read these lists carefully to see if you are exempt or disqualified or if you are entitled to claim exemption.

Even if you are not exempt or disqualified you may be able to be excused for a good personal reason and your service may be deferred to a later time. Such reasons may include illness, pregnancy, carer responsibilities and other urgent or important matters.

### What do I do next?

Every person who has been summoned must complete the **Acknowledgment of Receipt of Jury Summons** (found at the bottom of your jury summons) and return it to the Jury Manager, Jury Management Unit, at the Court, as instructed on the jury summons, within 7 days of receipt.

If you think that you may be disqualified or exempt, if you wish to claim to be exempt, or if you wish to be excused from jury service, then you should complete the [jury service declaration](#) which is with your jury summons and return it with the Acknowledgment of Receipt of Jury Summons as instructed above. Give sufficient details of your claim to enable a decision to be made without further correspondence. You must attach documents in support - for example medical certificates, travel tickets and/or a letter from your employer (on letterhead and containing a landline phone number for confirmation).

The Sheriff will decide your claim and notify you of the outcome in writing, usually by email. Do not assume that because you have submitted all the required documents your claim will be approved and you will not be required for jury service. If you have not received a reply to your claim before the first court date specified in your summons, you must attend court that day.

If you need to do so, update your personal details such as telephone numbers (landline and mobile) and email address. Most importantly, you should notify the Jury Management Unit as soon as possible of any change of your residential address (whether the summons was sent

to an old address or you move after you receive your jury summons). This is important because all correspondence is sent to your residential address, including a certificate of attendance.

You should also fill out the [direct deposit form](#) so that any payments for jury service can be paid into your bank account.

If you are not exempt, disqualified, excused or deferred, or if you have claimed that you are but have not received a written reply from the Sheriff, you must attend the ACT Supreme Court at the time and date shown on your jury summons. There are penalties for non-attendance in accordance with a jury summons and for those who attend, but leave without being discharged, excused or permitted to do so by a judge or the Sheriff. The maximum penalty is 10 penalty units (each penalty unit is equivalent to \$150 at the time of publication).

### **When will I be needed and for how long?**

Initially, you can expect to be required for one or two days. But if you are selected as a juror, you must attend on each day that the trial runs. The attendance times can vary, but you will be directed by the judge or Sheriff's officer as to when you next need to be at Court. A trial may last for days or even weeks.

### **What about my job and pay?**

An employer is not allowed to dismiss or otherwise penalise an employee because the employee is summoned for jury service. This is specified in the [National Employment Standards](#). However, under the National Employment Standards, you also have a responsibility to inform your employer of your summons for jury service as soon as possible.

Payment for jury service varies. Generally, jurors are paid fees out of public funds in accordance with regulations - see [Jury \(Payment\) Determination](#). Some awards provide for payments by an employer during an employee's jury service. Some employers make up the difference between fees paid and an employee's usual wages or salary. Otherwise, employers do not have to pay employees for time absent on jury service. Public servants should apply to their agency for special leave with pay. Further information can be obtained from your employer's HR section or from the Fair Work Ombudsman.

### **Delays and changes to schedules**

Sometimes the Court reschedules the dates or times of trials. If you wish to check whether you are still required please refer to the Supreme Court [website](#) or the Jury Pool Recorded Message Service on (02) 6207 1792. Messages on these platforms may be updated at any time up to 5 pm on the day before you are due to attend. Please ensure that you have your Pool Number handy when you ring or check the website, as messages will refer to Pools.

If you become ill or something happens that prevents or delays your attendance, whether before or during the trial, contact the Jury Management Unit on 6207 4269 or by email at [juryinformation@act.gov.au](mailto:juryinformation@act.gov.au).

### **Do I need to prepare for jury service; what should I bring?**

A juror does not need any particular skills or qualifications. The value of the jury system is that it brings together persons of different backgrounds and experience upon which they can draw as jurors.

In fact, apart from reading the Jury Handbook and using it as a guide, you should not make any enquiries or research any matter that may be connected with your jury service.

When you come to court, you should ensure that you bring any medication that you might need in the course of the day. If you are selected as a jury member, lunch will be provided. It is suggested that you wear neat and comfortable clothing.

### Where do I go?

Note: Building works may be in progress in the Courts precinct at the time that you are required. If so, the directions given below may be varied.

You should go to the front entrance of the Supreme Court or Magistrates Court (as advised on your summons) on [Knowles Place](#), Canberra City, off London Circuit and behind the City Police Station.

### Security screening

All persons entering the Court building go through a security screening point. Everyone has to empty pockets and have bags ready for scanning and inspection. You may also be required to remove your shoes. Prohibited items such as weapons and illegal drugs will be confiscated. Potentially dangerous items must be surrendered. Generally, they will be returned when you leave the building. Such items include sharp instruments and tools, aerosol cans, motorcycle helmets, unauthorised syringes and alcohol.

### How to get there

The Court precinct is a five minute walk from the Civic bus interchange. Public parking may be available in the all day public car parks close to the Supreme Court building. The closest public car park is accessible from the traffic lights at the intersection of Gordon Street and London Circuit ([opposite 5 London Circuit](#)). You must park within an all day zone and pay for parking for the full day. Every time that you are required to attend the Court and your name is recorded you will be eligible for the Travel Allowance. This Allowance is paid to you at the same time as your other jury service payments.

Please note that if you do not pay for all day parking and you receive a parking fine, it is your responsibility to pay the fine.

## NOW YOU ARE AT COURT

### Jury assembly

Once you are through the security screening point, you will be directed to the jury assembly room where you will be advised if you are required to proceed to the empanelling process. If you are chosen (this is done randomly) you will join other persons summoned for jury service. Collectively you now comprise a “jury panel”. You will each be given an individual Jury Panel Unique Number. You will be referred to by this Number during the jury selection process. The use of a number ensures your anonymity within the court room.

The Sheriff’s officers will take you through a jury induction process and give you practical advice about organising meals, emergency telephone messages and such matters. They will look after your security, convenience and privacy during the trial to follow. Then you will be taken to the court room for the jury selection process.

You are not allowed to take electronic devices such as mobile phones, laptop computers, tablets, beepers and buzzers into the court room or into the jury deliberation room (“the jury room”). Such devices must be handed to the Sheriff’s officers, who will arrange for their safekeeping and for their return, either at the end of the day or (sometimes) during an adjournment.

### Reasonable Support for Jurors

People summoned for jury service who have an insufficient understanding of the English language and/or are suffering from a mental or physical disability are able to apply for exemption under Part 1.4 of the Juries Regulation 2018.

If a person does not seek exemption and wishes to serve as a juror, however will require additional support to do so, a Judge may decide if the person is unable to properly discharge the duties of a juror because the person –

- a) Has an insufficient understanding of the English language; or
- b) Is suffering from a mental or physical disability.

In making their decision, the Judge must consider if support for the person would assist them performing the duties of a juror, and if so, give a direction that support be given. Support may include an interpreter, an Auslan interpreter, an assistance animal, disability aid or support person. The Judge can include a range of actor such as undue burden on court resources, facilities and timeframes

If a judge is not satisfied that support would assist the person, the Judge will discharge the person from their jury summons.

If you would like a judge to consider your situation, please inform the Jury Management Unit immediately. Arrangements will then be made for the matter to be heard before a Judge.

### Who’s who in the court room?

The judge presides over the trial. The judge decides questions of law as they arise during the trial. The judge may give the jury directions on various matters during the trial. At the end of the trial, the judge will instruct the jury about the law in the case and how the jury is to apply the law.

The judge's associate is a personal assistant to the judge. The associate will charge ("arraign") the accused person at the start of the trial and ask the jury for its verdict at the end of the trial.

The lawyers represent the prosecution (the Crown) on one side and the accused on the other. Usually a barrister (often called "counsel"), wearing robes, appears to argue the case and to question witnesses, and is assisted ("instructed") by a solicitor.

The Sheriff and the Sheriff's officers are there to assist in jury matters, the running of the trial and the calling of witnesses, and they provide security in and around the court room.

Other persons may be in the court room, including police officers and members of the public. Witnesses must wait outside until called to give their evidence.

In most cases, unless the judge makes an order to the contrary, the whole trial will take place in public. Often, during a trial the jury is asked to wait in the jury room while questions of law are argued and decided in the court room. When the jury retires to consider its verdict/s, the jury deliberates in private.

### **Applications to be excused**

Before the trial commences, the jury panel will be told how long the case is expected to take, something about the nature of the case and the name of the accused and prosecution witnesses.

The judge will then ask if anyone on the jury panel wishes to be excused. If you think you have a good reason to be excused this is your last opportunity to say so, and you should do so even if you have made a previous application to be excused which was refused by the Sheriff. As you must be objective and impartial when deciding the case, if you know someone connected with the case or if you have some knowledge of the events in the case which may impact upon you deciding the case fairly and impartially, it is your duty to disclose these matters to the judge.

If you seek to raise a matter or to be excused, the judge will question you. You may be required to give brief evidence on oath or affirmation in the witness box. If you have a very personal reason for seeking to be excused, you can ask to put it in writing. The judge may question you, but you will not be questioned by the lawyers.

Once the applications to be excused have been dealt with, the case will be called and counsel will announce their appearances. The person on trial will be charged and asked to plead "guilty" or "not guilty".

The selection (or "empanelling") of the jury will then commence.

### **Jury empanelment**

The judge's associate or another officer will randomly select jury numbers until 12 jurors (sometimes up to 16 in a long trial) have entered the jury box.

If your number is called, you will be guided towards the jury box by the Sheriff's Officer.

If you hear the word "challenge", you must return to your seat.

The prosecution and the accused may challenge prospective jurors without providing any reason for doing so. Challenge does not involve any reflection on a person's character or capacity. There is no need to feel embarrassed or offended if challenged.

The prosecution also has a right to require a prospective member of the jury to "stand by", but this is rarely used. If told to "stand by", the person should not enter the jury box at that stage, but may later be asked to do so.

Once the required number of persons has taken their places in the jury box, they will be asked to take an oath or make an affirmation to give a true verdict according to the evidence. The oath that is administered is designed to be appropriate to different religions. An affirmation is a serious declaration or promise, and is suitable for those who prefer not to take a religious oath.

Once all jurors are sworn or affirmed, the jury is "empanelled" and the trial begins.

### **What if I am not selected?**

If you are not selected for service on the jury or if you have been excused, you will be taken given further instruction. You may be required to remain for possible selection in another trial later that day or on a later date within the period covered by your jury summons.

## **NOW YOU ARE ON THE JURY**

### **What happens in a criminal trial?**

The jury's task is to deliver its verdict or verdicts – to decide whether the accused is guilty or not guilty of the charge or charges ("counts") which are set out on a document called an indictment. There can be a verdict of guilty only if the jury is satisfied that the prosecution has proved its case beyond reasonable doubt. The jury arrives at its verdict after deciding the facts in accordance with the evidence and the judge's legal instructions. The jury is bound by the judge's instructions on matters of law. If the judge gives you any instruction which seems to conflict with anything in this handbook, you must follow what the judge says.

### **How does the trial proceed?**

At the start of the trial the judge may make some preliminary remarks. Then prosecuting counsel will make an opening statement about the nature of the charge or charges and the evidence that is expected to follow. Defence counsel may also make an opening statement. These opening statements are intended to give you an idea about the case and the questions that you will be expected to decide. Remember that the opening statements are not evidence and that anything that the lawyers say about the law is subject to what the judge says.

### **Choosing a jury representative**

At an appropriate time in the jury room the jury should appoint one of its number to act as jury representative. The jury representative (or foreperson) speaks on behalf of the jury in any communication between the jury and the judge. The jury representative announces the jury's verdict/s at the end of the trial. During jury deliberations, the jury representative may chair the discussions. Any one may become jury representative – no particular qualifications are

necessary. The jury representative is one among equals with no authority over any other member of the jury. It is up to the jury as to how it goes about selecting the jury representative.

When the jury enters the court room, the jury representative should proceed first and be seated in the front row at the end nearer to the microphone. The jury representative should continue to occupy that seat throughout the trial. Other jurors do not have to return to the same seat.

It is normal etiquette for persons in the court room to stand while the judge or the jury enters or leaves the court room. Usually the judge will already be on the bench when the jury enters and will remain on the bench until the jury leaves.

## Evidence

The evidence in the case consists of:

- Evidence given verbally in the witness box or elsewhere by witnesses on oath or affirmation; and
- Items like documents, photographs, maps, video footage (these are called “exhibits”).

Counsel for the prosecution calls all of the witnesses for the prosecution in turn and presents (“tenders”) exhibits to the court. Defence counsel may do likewise but is not obliged to do so. Witnesses are first questioned by the counsel who called them (this is “examination in chief”). Then they may be questioned by the opposing counsel (“cross-examination”). Finally, the counsel who called them may ask further short questions (“re-examination”).

Rules of evidence govern the sort of evidence that may be called and the questions that may be asked. Counsel cross-examining a witness is allowed to ask a much wider range of questions than counsel calling the witness.

The judge decides any issue about whether proposed evidence is admissible. Issues about whether evidence is admissible and other legal issues may have to be decided in the absence of the jury. If so, you will be taken out of the court room, sometimes for lengthy periods. Do not be concerned about this – in due course the judge will provide any necessary explanation.

Jurors promise to give their verdict/s according to the evidence. This means that you should not discuss the case with anyone, even with members of your family, and you should not allow anyone to discuss the case with you, except fellow members of the jury.

Also, you must not make any enquiries or conduct any research of your own on matters relating to the trial. Do not make searches on line or visit any place relevant to the case.

While you are on the jury, you should minimise your use of social media such as Facebook and, if you are using social media, you must avoid any mention of the trial.

If another member of the jury indicates that he or she has information about the case obtained in breach of these rules, you should make a note and hand it to the Sheriff’s officer, who will refer the issue to the judge.

During the trial, if the jury wants to ask the judge anything, the jury should write a note setting out their question. Do not identify any juror in the note.

## Final addresses

At the end of all the evidence, counsel will address the jury again, this time in the light of the evidence that has been given. You should listen to counsels' addresses (speeches) and consider their arguments and submissions carefully, remembering that they are not part of the evidence.

## Judge's summing up

After the final addresses of counsel, the judge delivers a summing up (or "charge") to the jury. The judge will identify the particular issues or questions that the jury needs to decide. The judge will instruct the jury about the law that the jury must apply. The judge may also give some general advice about how the jury should go about its task of deciding the facts and applying the law.

It is vital to listen carefully to the judge's summing up and to follow the instructions. If you do not understand the judge's instructions, then you must seek clarification. If you think that there is any difference between this handbook and the judge's instructions, you must follow the judge.

## Jury retires to consider its verdict

After all the evidence, counsels' addresses and the judge's summing up you will be asked to retire to the jury room to consider your verdict/s.

Often, at this stage the jury will be provided with a transcript (typed record) of the evidence. If the jury wishes to do so, it may use this as an aid during deliberations.

Each verdict must be unanimous, that is, the verdict of all jurors. Take as long as you need to reach the verdict. Consider all the evidence carefully. Remember the importance of your decision. Listen to the ideas of other jurors. Feel free to put your own views to fellow jurors.

If you need to be reminded of some part of the evidence, or there is a question that you would like to ask the judge about the evidence or the law, you should write a note and hand it to the Sheriff's officer, who will give the note to the judge. The jury will be taken back into the court room so that the judge can answer your question. When writing a note to the judge, do not identify any juror in the note.

## Adjournments and taking breaks

As far as possible, the Court will ensure that you are given reasonable breaks. Morning tea and lunch will be provided. If you have any special dietary requirement please let one of the Sheriff's officers know. At lunch time you may be allowed to separate. If this occurs you will be paid a meal allowance with your juror attendance payments at a later date.

At the end of the working day juries are generally allowed to go home overnight and then reassemble the following day. Sometimes, when the jury is deliberating on its verdict, the jury may decide to continue its deliberations into the evening.

The Sheriff's officers are available to take and deliver messages, and otherwise to look after the jury's convenience and privacy. The judge may make decisions about these matters.

## How do we go about our decision making?

Provided that you follow the judge's instructions about the law and you decide the case on the basis of the evidence, the manner in which you go about your decision making is up to you. You should proceed in a calm and orderly way, giving all jurors a chance to participate. It may be convenient for your jury representative (or another juror) to chair your discussions. At the beginning of the process, you may decide on some general guidelines to ensure an orderly and fair discussion. For example:

- Start by going around the table one by one to let each juror say something about the case;
- Try to identify the points of agreement and disagreement;
- Focus your discussions around individual aspects ("elements") of each charge; all of which need to be proved beyond reasonable doubt in order for the whole charge to be proved;
- Use a whiteboard or choose one or more jurors to take notes.

## Delivery of verdict

Once the jury has reached its verdict/s, the jury representative notifies the Sheriff's officer. The court reassembles. The jury enters. The jury representative is asked to stand. The judge's associate asks if the jury has reached its verdict(s) and then asks if the accused is guilty or not guilty of each charge, taking the verdicts one at a time. The judge discharges the jury and gives any necessary directions as to further jury service.

## After the trial

If the jury finds the accused guilty, the judge proceeds to sentence, usually a few weeks later. The jury has no role in sentencing, but any juror is free to return to the court as a member of the public to observe the sentencing process.

If the trial has been lengthy, the judge may make an order that you be exempt from further jury service for a period. You can enquire about this from the Sheriff's officer or the Jury Management Unit.

You will be sent a Certificate of Jury Service to give to your employer.

## Confidentiality of jury identity and deliberations

It is an offence to reveal information that is likely to identify a person as a juror in a trial (unless they consent). It is also an offence to disclose anything of the deliberations of a jury to anyone who may want to publish that information to the general public. Do not discuss jury deliberations on social media such as Facebook.

Further material and advice on these matters is in the following sections. You should read them carefully and follow that advice.

## CONFIDENTIALITY AND SOCIAL MEDIA

### Juror Privacy

It is an offence to reveal information that identifies, or is likely to identify a person as a juror in a particular trial. This includes identifying yourself as a juror in a trial.

The ACT *Juries Act 1967*, at section 42C, states that you must not disclose this sort of information if you are aware that, as a consequence of your disclosure, “the information will, or is likely to be, published”. In this situation, ‘published’ means communicated or disseminated “in such a way or to such an extent that it is available to, or likely to come to the notice of, the public or a section of the public”. In other words, no one, including the media, is allowed to broadcast or print information about the identity of jurors during the trial.

If you are asked to provide that sort of information to anyone whom you suspect may want to broadcast or print it, or disseminate it in any other way to the public, or a sector of the public, you should not provide that information to them, or you will have committed an offence.

If you are approached in such a way, you should report the matter immediately to one of the Sheriff’s officers because whoever asked you for that information under those circumstances may have committed an offence.

### Jury Deliberations

The law on revealing jury deliberations is also strict. Both during and after the trial, it is an offence to disclose the deliberations of the jury to anyone whom you think may want to broadcast or print that information.

‘Deliberations’ includes any statements made, any opinions expressed, any arguments advanced, or any votes cast by members of the jury in the course of their deliberations.

### Exceptions

There are some exceptions to this. The main exception is where something is said by a juror or jurors in open court. That information can be disclosed, subject to any other non disclosure orders in place regarding that information.

You are also allowed to disclose jury deliberations and identities to a Commission of Inquiry or the Director of Public Prosecutions, in the unlikely event that there is an inquiry into the conduct of a juror or jurors in that trial, or if someone is authorised by the Attorney-General of the ACT to carry out legitimate research into jury matters.

### The Use of Social Media

Both during the trial and afterwards, care must be taken when using social media sites such as Facebook and Twitter.

If you have any concerns regarding the use of social media in the context of a jury trial, please speak with a Sheriff’s officer or to the Jury Management Unit who will be able to assist you.

# SUPPORT FOR JURORS

## Counselling Services

Every juror and jury trial is different. Therefore, the way that you feel after a trial will be unique. Some jurors report feeling a sense of achievement and pride in being able to serve their community, while others report feeling confused or distressed. You may feel a range of emotions including a sense of loss, sadness or frustration.

Usually, but not always, negative feelings pass after a few days. If you need help in understanding your feelings or need to talk with somebody about your experiences, we encourage you to contact our Juror Support Program.

The Juror Support Program provides up to six (6) one hour professional counselling and debriefing sessions to jury members who have finished serving on a jury trial, at no cost to the juror. Further sessions may be approved by the Court, if they are needed.

These services are available to you in person or over the phone.

All counselling sessions are strictly confidential and provided by a company with highly trained psychologists and social workers who can assist you 24 hours a day, 7 days a week. When telephoning the counselling service you will need to explain you have participated in jury service for the ACT Supreme Court and that the organisation covering the costs of your sessions is the ACT Justice and Community Safety Directorate.

To make an appointment, please telephone one of the following providers:

Assure	1800 808 374
Converge International	1300 687 327
Benestar	1300 360 364
PeopleSense	08 9388 9000

You will need to quote “ACT Justice and Community Safety Directorate”, “ACT Law Courts and Tribunals” and the job title “Juror”.

Do not hesitate to contact the Jury Officer should you need further information on these services: (02) 6207 4269.

## Appendix A - JURY INFORMATION HOTLINE

### The Jury Pool Information Hotline

Changes to scheduling are common. We encourage you to check the Jury Pool Recorded Message service on **(02) 6207 1792** after 5.00pm each night, whenever you are required to attend Court the following day. Your attendance requirements or times may have changed. Please note that you cannot leave messages on this number – if you need to leave a message use the jury management numbers below. You can also check whether any messages have been left for jurors on the Court's [website](#) at:

[http://www.courts.act.gov.au/supreme/public/jury\\_service\\_-\\_current\\_pool\\_information](http://www.courts.act.gov.au/supreme/public/jury_service_-_current_pool_information)

If you have any concerns regarding your Jury Pool that are not addressed through the Jury Pool Recorded Message Service Information Hotline or on the website, please contact the Jury Management Unit on **(02) 6207 4269** to discuss the matter or you email the unit at [juryinformation@act.gov.au](mailto:juryinformation@act.gov.au).

**Appendix B - JURY MESSAGE FORM**

**Jury Member Message Forms**

During the course of your jury service, you may need to either send or receive urgent messages in relation to family matters. To do this, a specific form has been designed for your use.

Write the message together with the name of the recipient and the appropriate phone number/s and hand it to the Sheriff’s officer assigned to the jury panel who will make the necessary arrangements.

The jury member message notification will be as follows:



AUSTRALIAN CAPITAL TERRITORY  
SUPREME COURT

Jury Panel Member – Message Notification

**NAME OF JUROR:** .....

**JURY POOL No:** .....

**MESSAGE TO:** .....

**PHONE NUMBER:** .....

**MESSAGE:** .....

.....

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## Appendix C - PEOPLE WHO ARE DISQUALIFIED OR EXEMPT

### Persons disqualified from jury service

<b>Juries Regulation 2018 (s3, Sch 1 Prt 1.2)</b>		
	<b>Disqualified People</b>	<b>Disqualification Period</b>
1.	A person who has been convicted, within or outside the ACT, of an offence punishable by life imprisonment	Life
2.	A person who has been convicted, within or outside the ACT, of a terrorist offence	Life
3.	A person who has been convicted, within or outside the ACT, of an offence – (a) involving - (i) Actual or threatened violence; or (ii) Endangering life; and (b) punishable by imprisonment for 15 years or more <i>for example murder, manslaughter, grievous bodily harm</i>	Life
4.	A person who has been convicted, within or outside the ACT, of a sexual offence punishable by imprisonment for 10 years or more	Life
5.	A person who has been convicted, within or outside the ACT, of unlawfully possessing or making explosives	Life
6.	A person who has been convicted, within or outside the ACT of an offence and given a prison sentence, other than a prison sentence for failing to pay a fine, when 18 years or older	(a) if sentence less than 3 months – 5 years after the sentence or post – prison good behaviour order or parole ends or (b) if sentence 3 months or more – 10 years after the sentence or post – prison good behaviour order or parole ends
7.	A person who has been convicted, within or outside the ACT of an offence and given a detention order, other than a detention order for failing to pay a fine, when under 18 years	3 years after the detention period ends
8.	A person who has been convicted, within or outside the ACT of an offence and given a good behaviour order, whether or not there is a community service order attached	3 years after the good behaviour order ends
9.	A person who has been convicted, within or outside the ACT of an offence punishable by imprisonment, who is awaiting sentencing or the outcome of an appeal	Period until sentence imposed or outcome of appeal known

## Persons exempt from jury service

<b>Juries Regulation 2018 (s3, Sch 1 Pt 1.3)</b>		
	<b>Exempt People</b>	<b>Exemption Period</b>
1.	A person exempt from serving as a juror under – <ul style="list-style-type: none"> <li>• the <i>Jury Exemption Act 1965</i> (Cwlth), section 4 or regulations under that section; or</li> <li>• the <i>Navigation Act 2012</i> (Cwlth), section 89</li> </ul>	standard
2.	A magistrate or coroner	2 years after the appointment as magistrate or coroner ends
3.	An employee of the government of a foreign country or of an international organisation	standard
4.	The official secretary to the Governor-General	standard
5.	An Australian legal practitioner under the <i>Legal Profession Act 2006</i> , or an employee of an Australian legal practitioner	standard
6.	A practising doctor	standard
7.	A police officer	5 years after the employment as police officer ends
8.	A person engaged in full-time or part-time duties as a member of an emergency service (not including on a causal or volunteer basis)	standard
9.	A person living in the Jervis Bay territory	standard
10.	A judge or associate judge of the Supreme Court	2 years after the appointment as judge or associate judge ends
11.	A member of the Legislative Assembly or a member of staff of a member of the Legislative Assembly who is an adviser or private secretary	standard
12.	A director - general	standard
13.	A public servant in the staff of the following: <ul style="list-style-type: none"> <li>(a) the Supreme Court</li> <li>(b) the Magistrates Court</li> </ul>	2 years after the employment ends
14.	A public servant providing legal professional services in the staff of the Justice and Community Safety Directorate	standard
15.	A public servant providing legal professional services in the staff of of the following: <ul style="list-style-type: none"> <li>(a) the Legal Aid Commission (A.C.T.)</li> <li>(b) the Office of the Director of Public Prosecutions</li> </ul>	2 years after the employment ends
16.	A person holding any of the following positions in the Legislative Assembly: <ul style="list-style-type: none"> <li>(a) clerk</li> <li>(b) deputy clerk</li> <li>(c) clerk assistant;</li> <li>(d) sergeant-at-arms</li> <li>(e) editor of debates</li> <li>(f) secretary to a committee of the Assembly</li> </ul>	standard
17.	An employee at any of the following places: <ul style="list-style-type: none"> <li>(a) a place declared to be a detention place under the <i>Children and Young People Act 2008</i>, section 142;</li> <li>(b) a place approved as a place of care under the <i>Children and Young People Act 2008</i>, section 525;</li> <li>(c) a place declared to be a therapeutic protection place under the <i>Children and Young People Act 2008</i>, section 625</li> </ul>	2 years after the employment ends

18.	The emergency services commissioner and a chief officer, or deputy chief officer, of an emergency service	standard
19.	An employee of ACT Corrective Services	2 years after the employment ends
20.	A person appointed as any of the following: (a) a royal commission under the <i>Royal Commissions Act 1991</i> , section 5 (b) a board of inquiry under the <i>Inquiries Act 1991</i> , section 5 (c) a member of a judicial council under the <i>Judicial Commissions Act 1994</i> , section 5A (d) a member of a judicial commission under the <i>Judicial Commissions Act 1994</i> , section 6	standard
21.	A public servant during the period the public servant is made available to a royal commission, board or enquiry or judicial commission	standard
22.	A commissioner under the <i>Human Rights Commission Act 2005</i> or the public trustee and guardian under the <i>Public Trustee and Guardian Act 1985</i>	2 years after the appointment ends
23.	A person for whom a guardian has been appointed under the <i>Guardianship and Management of Property Act 1991</i>	standard

### Persons who may apply to be exempted from jury service

<b>Juries Regulation 2018 (s3, Sch 1 Prt 1.4)</b>	
1.	A minister of religion
2.	A practising member of a religious society or order the beliefs or principles of which are incompatible with jury service
3.	A professor, lecturer, school principal or teacher engaged in full-time or part-time teaching of organised classes (not including on a casual or voluntary basis) at a university, college or school
4.	An editor of a newspaper
5.	A practising nurse, practising enrolled nurse or practising nurse practitioner
6.	A household officer or member of staff of the Governor-General
7.	A person who is 70 years old or older
8.	A person with disability within the meaning of <i>Disability Services Act 1991</i> , including a person who is totally or partially blind, or totally or partially deaf
9.	A person who is subject to a mental health order under the <i>Mental Health Act 2015</i>
10.	A person who is unable to read or speak the English language
11.	A person who lives with, and is caring full-time for, a person who is sick or infirm or who is a person with disability within the meaning of the <i>Disability Services Act 1991</i>