

Guidance to Police Officers, Police Staff and Special Constables Called for Jury Service

1. Section 321 of the Criminal Justice Act, 2003 came into force on 5th April, 2004. This section removed the previous entitlement of police officers and staff to be excused from jury service as of right.
2. It is still possible to be excused from jury service or have it deferred, however, the more likely course is deferral. It is only in the most exceptional circumstances that a person will be excused completely.
3. A common problem is likely to be where a police officer / special constable or member of police staff is summoned to attend as a juror at the court where he / she frequently works, or which hears cases of which he / she has knowledge. Should this occur; he / she should apply to the summoning officer not to serve at that particular court. The summoning officer should then consider whether jury service could be undertaken at a different court. It is to be borne in mind that no juror is expected to travel more than one and a half hours from home in order to serve on a jury.
4. If called to jury service, staff will be given leave of absence but expected to claim loss of earnings. You should notify finance of the amount received so that the relevant deduction can be made from your salary. Pension contributions will still be deducted.
5. When arriving at court as a juror it is advised that police officers / special constables and members of police staff discretely inform the jury officer of the nature of their employment.
6. It would be inappropriate for a juror to have any special knowledge of any person involved in a trial: this primarily applies to defendants and witnesses, but may also apply to members of the judiciary and legal representatives. Personal knowledge of the jury bailiff or other court staff will not normally be considered problematic.
7. **As with all jurors, if having been empanelled on a jury, a juror recognises anyone involved in the trial, they should inform the judge. The judge will then take a decision as to whether their familiarity or knowledge of that person might be in anyway prejudicial.**
8. Likewise if a police officer or member of police staff serving as a juror realises that they have any special knowledge of the case, for example because he / she has been involved in its investigation, then he / she should inform the judge immediately. The judge will then decide whether it is necessary for that juror to be dismissed.
9. If selected to serve on a jury, it is vital that police officers / special constables and police staff understand that they do so as part of their duty as a private citizen. It is neither necessary nor appropriate to conceal their profession from other jurors, but nor is it necessary to volunteer such information immediately. All jurors should expect to be treated equally regardless of the nature of their employment.
10. Where a jury is required to leave court during the trial, police officers / special constables and police staff on the jury should avoid the temptation to speculate about why they have been asked to leave, and should not attempt to give any explanation beyond what the Judge has told the jury, even if asked.

