

# Office of the Sheriff Procedure Guide



# Jury Induction (Jurors in waiting)



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**Version:** 1.0  
**Last Saved Date:** March 2019  
**Document Owner:** NSW Jury Manager

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## Document information

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### Overview

A jury induction is critical to ensure that potential jurors have a good understanding of the trial process and their rights and responsibilities. It is essential that induction processes are consistent throughout NSW to ensure that jurors are receiving all of the relevant information related to their obligations.

This document will:

- Explain the overall processes;
- Describe the key policies and procedures; and
- Provide links to other useful resources.

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### Target audience

This document is written for all Court and Sheriff Officers responsible for inducting jurors in NSW.

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### Version history

No.	Date	Notes
1.0	March 2019	New Procedure Guide

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## Introduction

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### Objective

This section is intended to provide background information that is necessary to understand the process of inducting a jury.

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### Key terms

The following terms are commonly used when inducting a jury:

Term	Definition
Acknowledgment of Country	An Acknowledgement of Country is an opportunity for anyone to show respect for Traditional Owners and the continuing connection of Aboriginal and Torres Strait Islander peoples to Country.

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### Do jurors receive payment?

Schedule 1 of the Jury Regulation 2015 canvasses all appropriate allowances and payments for jury service in NSW. This information is detailed further in Process 5: Jury Allowances.

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### Who is excluded from jury service?

Schedule 1 of the Jury Act 1977 outlines the persons excluded from performing jury service in NSW. This information is detailed further in Process 4: Excluded Persons.

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### Who can perform an acknowledgment of country?

An Acknowledgment of Country can be given by both non-Indigenous people and Aboriginal and Torres Strait Islander people.

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## Process 1: Formal Greeting

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### Objective

This section provides guidance to staff on how to greet the jurors in waiting, in a culturally appropriate manner.

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### How do officers provide a formal greeting

Once the jurors in waiting have been processed and are waiting in the designated Jury Assembly Area, the following steps must be followed:

- On behalf of the Sheriff of NSW formally welcome to the jurors in waiting to the relevant Court House, e.g. Tamworth Local Court..
- An “Acknowledgement of Country” should be undertaken to pay respect, advising that today’s activities will be undertaken on Aboriginal land.
- An example of an appropriate Acknowledgement of Country for Sydney would be *“I would like to acknowledge the Gadigal people of the Eora Nation, the traditional custodians of this land and pay my respects to the Elders both past and present.”* (Note – The Gadigal people of the Eora Nation were the traditional custodians for Sydney area only and other locations in NSW would have other traditional custodians such as Dharug and Wiradjuri).



To make sure you are acknowledging the correct Traditional Owners for country, you can [contact NTSCORP](#) for advice.

<http://www.ntscorp.com.au/our-services/welcome-to-country/>

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## Process 2: General Housekeeping

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**Objective** This section provides guidance to staff about providing jurors in waiting general information about the Court House, likely schedule of the day and local Work, Health and Safety (WHS) arrangements.

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**What housekeeping information to provide jurors** Jurors should be provided with some housekeeping information. The following information should be canvassed:

- introduce to the Court Officer/Sheriff team and highlight that it is important to closely follow instructions throughout the day
- location of amenities
- location of emergency exits and location of evacuation assembly area in the event of emergency
- designated smoking area
- court house hours and likely lunch/meal break times
- remind jurors in waiting of the importance of retaining their individualised juror card at all times.
- Provide the public with a likely plan for the day if known eg we envisage to be empanelling for a trial commencing at noon.
- Provide regular updates to the public throughout the day so they remain informed
- Inform public that if anyone has any concerns about any information throughout the day or are concerned about serving on a jury of a particular offence type please speak with an Officer privately

## Process 3: Excluded Persons

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### Objective

This section provides guidance to staff about advising jurors in waiting that some people may be ineligible to perform jury service

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### Who is an excluded person?

The Jury Act 1977, Schedule 1 identifies the following individuals who are excluded from performing jury service in NSW:

- persons having committed certain serious offences are excluded from jury service for life
- persons serving or having served sentence of imprisonment
- persons serving or having served period of detention
- persons subject to certain orders and disqualifications or in custody
- persons holding particular office, e.g. governor /judicial officer / member of executive council
- persons who are Australian lawyers
- persons employed or engaged in certain occupations in the public sector e.g. office of ombudsman /office of director public prosecution /crown solicitors office
- persons having access to information about inmates and other detainees
- undischarged bankrupts

## Process 4: Jury Allowances

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### Objective

This section provides guidance to staff on advising jurors in waiting of their potential allowances and entitlements.

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### What jurors need to be told about potential allowances and entitlements

Jurors may be entitled to a range of allowances and payments for performing jury service in NSW dependent upon their individual circumstances. Jurors in waiting should be informed of the following:

- individuals who are selected as a juror, will get paid an allowance. This is intended to reduce any financial hardship you may incur by serving as a juror. The allowance is not intended to be equal to your normal wage or salary payment.
- If entitled to a payment, Jurors are required to add their BSB and bank account details on-line in the Jury Portal ([juror.nsw.gov.au](http://juror.nsw.gov.au)) to ensure their payment will be paid each Friday.
- A range of payments may be available to jurors depending on the length of a trial and the individual circumstance of each juror. Payments include travel allowances, meal allowances and a jury allowance for service.
- Current fees payable for permanent employed jurors are \$106.30 daily for days 1-10 and \$247.40 daily for days 11 onwards
- Under the “Fairwork Act” employers must allow and pay for 2 weeks (10 days of jury service and includes day of selection – this applies to full time/part-time employees only – not if you are employed casually).
- If you are employed full-time or part-time you can claim \$106.30 jury fee and your employer makes up the difference in your wage or salary.
- If you are employed casually – you will only receive \$106.30 for the first 10 days from day 11 you will receive the higher payment. Your employer does not have to pay you or make up your pay for the first 10 days.
- Non-working jurors such as carers, the retired or the unemployed, receive a single rate of \$106.30 a day for the duration of the trial.



*Schedule 1 of the Jury Regulation 2015.* Staff should ensure they regularly check the legislation to ensure they quote the current amounts. See [legislation.nsw.gov.au](http://legislation.nsw.gov.au).

## Process 5: Recording Devices, Confidentiality and Social media

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### Objective

This section provides guidance to staff on advising jurors in waiting of the penalties for non-compliance with laws related to confidentiality and photography.

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### What jurors need to be told about recording devices, confidentiality and social media

Jurors in waiting must to be advised that their behaviour in a Court House, including their role of juror is governed by legislation. Staff must advise all jurors in waiting of the following:

- It is an offence to take a photograph and/or record sound or images anywhere within a NSW Court House.
  - Information, discussion, details about the trial remain confidential and to not discuss how they came to agree on the verdict or specifics of the jury trial before the courts.
  - It is a criminal offence to disclose any information that may identify a juror or former juror.
  - Jurors must also be advised not to broadcast any part of their involvement in jury service on social media platforms, including but not limited to Facebook, Instagram or Twitter.
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## Process 6: The DVD Induction

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**Objective** This section provides guidance to staff regarding the jury induction DVD

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**When to play the jury induction DVD**

Before the jurors in waiting are empanelled to serve on a jury, the following should be undertaken :

- Play in full the Induction DVD titled “Welcome to Jury Service”
- A subtitled version of the video is also available if required.
- The video can be played at the following website link:  
<https://youtu.be/t7ab4-qRaV0>



Inform public that if anyone has any concerns about any information presented in the DVD or throughout the day or are concerned about serving on a jury of a particular offence type please speak with an Officer privately