

GCE

# LAW: Jury Trial

## SUGGESTED IDEAS FOR TEACHING/LEARNING



<b>Teacher /Lecturer:</b>	
<b>Unit:</b>	<b>Unit One: The Nature of law and the Welsh and English Legal Systems</b>
<b>Ref. to specification:</b>	Criminal Process
<b>Suggested time allocation:</b>	<b>5-8 hours</b>

<b>Course:</b>	<b>AS Level Law</b>
<b>Topic:</b>	<b>Jury Trial</b>
<b>Session:</b>	

**Aims & Objectives:** At the end of these sessions the student will be able to:

- **Discuss** the history of jury trial
- **Explain** how a jury is selected
- **Explain** the role of the criminal and civil jury
- **Critically evaluate** the advantages and disadvantages of jury trial
- **Assess** current reforms and offer alternatives to jury trial

## **Main Teaching and Learning Activities**

### **Teacher/Lecturer Activities:**

- Introduce topic / objectives with the use of PowerPoint if IWB available or whiteboard.
- Organize students in to small groups and give out questions on jury trial – facilitate group work
- Explain the history of jury trial with reference being made to Bushell's case 1670 and R v Wang (2005)
- Discuss qualifications needed to sit on a jury with particular reference to the Juries Act 1974 and the Criminal Justice Act 2003
- Explain how a jury is selected, include jury challenging and vetting with reference to case law
- Discuss discharge of a jury
- Discuss jury nobbling & Criminal Procedure & Investigation Act 1996 – section 54
- Explain the role of the criminal & civil jury and majority verdicts
- Organize students in to pairs and ask them to list the advantages and disadvantages of secrecy
- In bigger groups list the advantages and disadvantages of jury trial
- Facilitate Class discussion – Should juries be abolished for serious fraud cases? Does the failure of the jury to give reasons for their decision violate the right to a fair trial contained in Art. 6 of the European Convention on Human Rights? Discuss reform of the jury in general
- Depending on size of group organize students in to a 'jury' if a large class then 2 juries can be formed, if smaller then one jury. Give out facts of real cases and ask them to decide the verdict – exercise shows problems that can arise when juries deliver their verdicts. Cases that could be used include R v Kronlid & Others (1997); R v Ponting (1985) R v Owen (1991)

### **Student Activities:**

- In small groups answer questions on jury trial
- Answering direct questions on jury qualifications, selection and vetting
- In pairs list the arguments for and against jury secrecy
- In larger groups list the advantages and disadvantages of jury trial
- Class discussion – should juries be abolished for serious fraud cases?
- Class discussion - Does the failure of the jury to give reasons for their decision violate the right to a fair trial contained in Art. 6 of the European Convention on Human Rights?
- Students to role play a jury and give the verdict for given cases

### **Suggested links / resources:**

- PowerPoint
- Video
- Handout
- Cases
- Gov.uk

### **Assessment of Learning**

During the lesson	During the lesson – group exercises and direct questioning show how much the students have understood jury trial; and the mock jury trial allows the students to see how a jury reaches its verdict.
Subsequent to lesson	Homework – Past paper essay question on juries. Also if spread over more than one lesson students can research arguments for and against the use of juries in serious fraud cases, this can then be used for the class discussion and if required for Communication key skill, level 2 or 3. The debate surrounding violation of Article 6 of the European convention could also be used for communication key skills – SEE Question 16 below

TOPIC:

**Jury Trial**

Questions:		Expected answers:
1.	When did jury trial begin?	Students vary as to their answer for this question – some think it is recent whilst others may answer Roman times. Required answer would be after 1066, especially under reign of Henry II
2.	What went before jury trial?	Trial by ordeal
3.	How many sit on a criminal jury	12
4.	In what court do they sit?	Crown Court
5.	How are juries selected?	Electoral roll / register, 18 -70, living in UK
6.	Should jury trial be abolished for serious fraud cases?	Students to come up with their own arguments for and against this- can be used for Communication key skill level 2 or 3
7.	What is jury vetting	Checking the background of potential jurors either for extremist views or criminal convictions
8.	Who is eligible to sit on a jury	Since Criminal Justice Act 2003 – all now eligible to sit on a jury, except those with a mental disorder and those disqualified from jury service e.g. certain criminal conviction
9.	What are the arguments for keeping the verdict secret and those against?	Students in groups to come up with their own answers (see separate handout for the list of the arguments for and against secrecy.
10.	What is a majority verdict?	10 -2 ; 11 -1
11.	What is the burden of proof in criminal trials	Beyond all reasonable doubt
12.	What types of cases are juries involved in?	Either way and indictable offences
13.	What advantages of jury trial can you think of?	See PowerPoint
14.	What disadvantages can you think of?	As above
15.	What is their role? Does the jury decide the sentence of an offender	In criminal cases to decide the verdict, the judge sentences
16.	Does the failure of the jury to give reasons for their decision violate the right to a fair trial contained in At. 6 of the European Convention on Human Rights?	Students to debate this question – can be used for class discussion for Communication key skill level 2 or 3
17.	If you were charged with committing theft, what type of trial would you prefer? Would you want your case to be heard by a professional judge in the crown court or by the magistrate's court?	Again students in groups to come up with their own reasoning.