

# **'Are juries fair?'**

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## **THE STUDY**

This research asks: How fair is the jury decision-making process?

It explores a number of aspects of jury fairness for the first time in this country, and asks specifically:

- Do all-White juries discriminate against BME defendants?
- Do jurors racially stereotype defendants?
- Do juries at certain courts rarely convict?
- Do juries rarely convict on certain offences?
- Do jurors understand legal directions?
- Do jurors know what to do about improper conduct in the jury room?
- Are jurors aware of media coverage of their cases?
- How is the internet affecting jury trials?

The research used a multi-method approach to examine these issues:

- Case simulation with real juries at Crown Courts (involving 797 jurors on 68 juries);
- Large-scale analysis of all actual jury verdicts in 2006–08 (over 68,000 verdicts);
- Post-verdict survey of jurors (668 jurors in 62 cases).

## **FINDINGS**

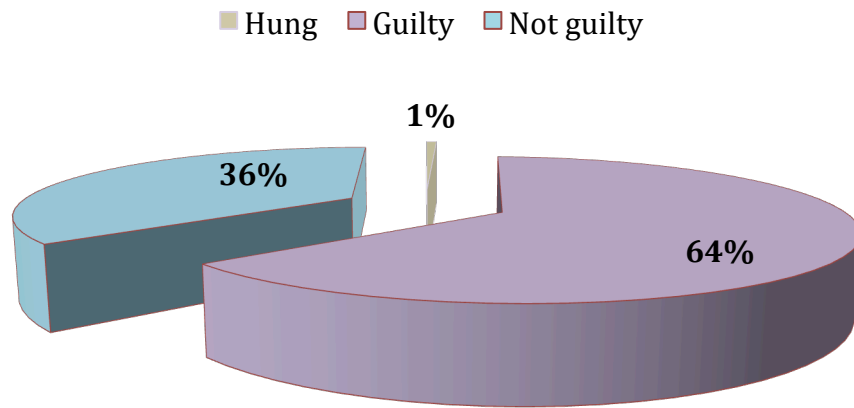
The study found little evidence that juries are not fair. However, it identifies several areas where the criminal justice system should better assist jurors in performing this vital role. The study also demonstrates that section 8 of the Contempt of Court Act 1981 does not prevent comprehensive research about how juries reach their verdicts and that research from other jurisdictions should not be relied upon to understand juries in this country.

Examples of specific findings are detailed below.

**QUESTION:** Do juries reach verdicts?

**FINDING:** Jurors reach verdicts in 99.4% of cases.

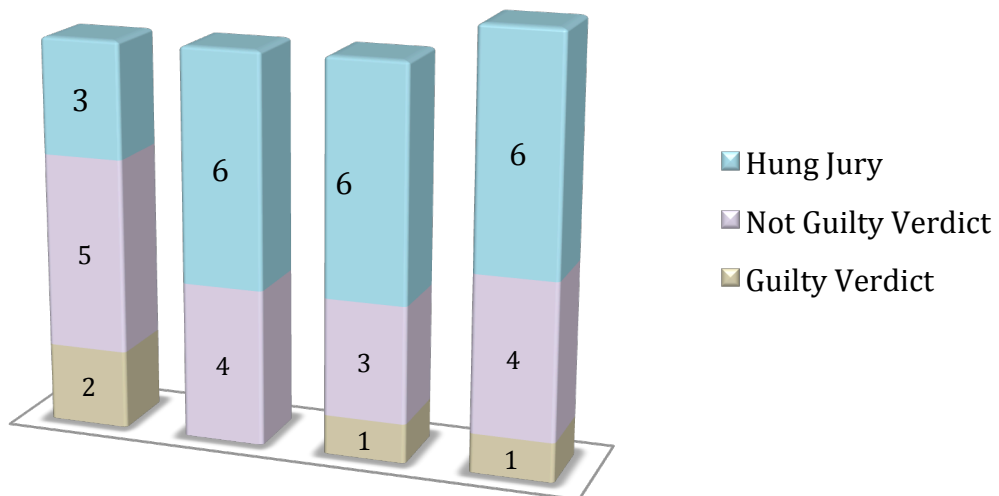
**Jury convictions in Crown Courts 2006-08**



**QUESTION:** Do all-White juries discriminate against BME defendants?

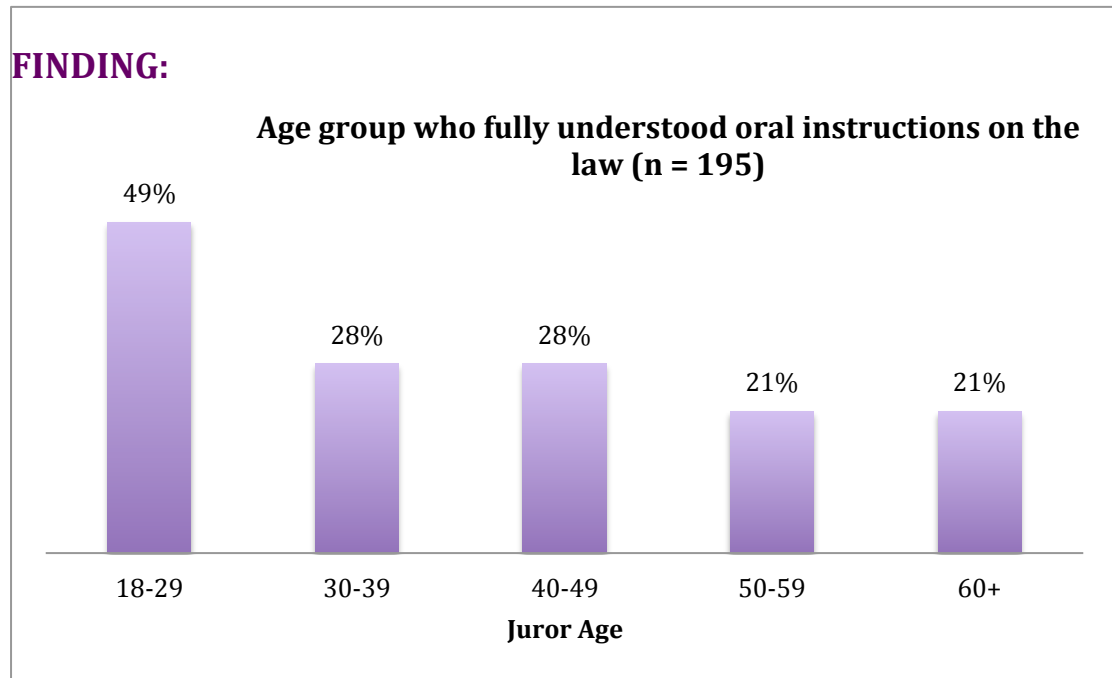
**FINDING:** Where juries reached a verdict they were not more likely to convict a BME defendant than a White defendant. This applied to both the Black defendant and the Asian defendant.

**Jury verdicts in case simulation by defendant ethnicity**



**QUESTION:** Does the younger “internet” generation understand oral instructions on the law?

**FINDING:**



**QUESTION:** Do written directions on the law assist jurors?

**FINDING:**

