

Jury Service (Crown Court and Coroners) Guidance Note



Issued by the Human Resources Team

This guidance is available in alternative formats please go to the end of this document for further details.

Introduction

Under the Juries Act 1974 any person who is at least 18 years of age and not over the age of 70; registered on a parliamentary or local government electoral role; and has lived in the UK, Channel Islands or Isle of Man for at least 5 consecutive years since they were 13 years old can be called upon for jury service. Names are randomly selected by the Jury Central Summoning Bureau (JCSB) from an electronic copy of the electoral register.

Overview

If an individual is selected for jury service they will receive a 'notice to potential jurors'. This notification tells them that they may be called for jury service at some point in the near future. Within this notification are two lists which inform the juror who is disqualified from being on a jury and who is not eligible to serve on a jury, for example, a police officer. Once an individual has read the lists enclosed and determined that they are eligible to serve on a jury they must let the Clerk of Court know of any holiday arrangements or other commitments in the next twelve month period.

If accepted a Jury Citation will be sent to that person four weeks prior to a trial date. The citation gives information about where and when to attend court.

Deferrals or 'Excused from Jury Service'

You can apply to the court either to be excused from jury service or to have jury service deferred to a later date.. When applying for a deferral, you will be expected to provide dates when you will not be available to serve, so that the JCSB can summon you to attend at a more convenient date.

A request to be excused or for a deferral may be on the grounds that your absence would likely cause 'significant detriment' to an organisation or that you have leave booked (this will have to be evidenced). Only you can apply in writing to be excused or for a deferral, KCC cannot apply on your behalf. However, your line manager may write in support of your application and this can be included in your submission.

Employees' responsibilities

Notifying your line manager

Once you have received your Jury Citation you should inform your line manager, as soon as possible, and provide a copy of the citation. Unfortunately, it is not possible for jury service to be recorded on ORACLE self-service at present so please use the [Absence Not Due to Sickness Form](#) on KNet to record your time away from work, and send this to Cantium Business Solutions once you have completed your Jury Service.

Time off for jury service

Normally jury service is completed within 10 working days but some cases may take longer. If you are on a longer case the judge will usually advise you of this before you are sworn in. If you are unable to sit for longer than two weeks you will have to explain the reasons to the judge who will decide whether or not you will serve on the trial. The judge's decision is final. While you are on jury service it is essential that you keep in touch with your line manager if you are allocated a case that is longer than 10 days.

The court will also notify you if you are not required in court on a particular day. If this should happen contact your line manager to discuss working arrangements for those days.

Salary

When serving as a juror you **must** claim the entitlement payable by the Crown Court in respect of loss of earnings as your full salary will be offset against this amount. For ease KCC will pay you your full salary and make any deductions equal to the amount once you have received the allowance.

The following procedure should be followed to ensure the Jurors' Allowance is recovered for each day of jury service.

Procedure

1. The Court will provide you with a claim for loss of earnings form as this is not on-line. KCC as your employer **must** complete the Certificate of Loss of Earnings, which you will get with the letter confirming your jury service.
2. You **must** send the Certificate of Loss of Earnings to the Cantium Business Solutions, Worrall House, 30 Kings Hill Avenue, West Malling, ME19 4EA, who will arrange for the calculation of the daily rate of net pay to be completed. The following formula is used for this purpose:

$$\frac{\text{Previous month's net pay}^*}{\text{Days in the month}}$$

* This amount will be used provided the payment was not unusual.

Loss of earnings are calculated at either the Court's prescribed rate of allowance or your daily rate where this is less than the allowance. The claim form must also note the hours that you would have worked on those days spent on jury service.

Cantium Business Solutions will certify the claim form and return this to you.

3. Send the loss of earnings form as part of your claim for expenses once you've completed jury service. The form requires you to confirm the daily rate of net pay before the Crown Court will compensate you.
4. Following completion of jury service, you **must** submit the Certificate of Loss of Earnings to the Court (but no later than 3 months from completion). Payment from the Court is usually around 7 to 10 days after submitting your claim form. This will include a statement itemising the payment. Different Courts have different ways of reimbursing expenses to jurors for example some pay by cheque other by BACS payment. (Bankers' Automated Clearing Services system)

5. Once you have received payment you **must** submit the invoice you receive from the court to the Cantium Business Solutions where the deduction will be made from your next salary.

Details on how to claim expenses from the court are available in your jury pack which is issued at the start of jury service.

Managers' responsibilities

Managing the absence

Potential jurors are made aware that they may be called to serve on a jury at least 12 months before hand. They have to make the court aware of their availability for the next 12 months. Once an employee has had the necessary background checks made by the court and been accepted for jury service the courts usually give at least 4 weeks' notice of being asked to serve.

Jurors are normally required to serve for up to a 10 day period. In most cases planning for absence should be like arranging cover for a period of annual leave. It is essential that the employee keeps in contact with you just in case they are allocated a case that is estimated to be longer than 10 days. Your employee will be notified by the judge if this is the case and advice can be sought from the Human Resources Team.

Providing work

If the employee is not required to serve for a particular day they will need to call you so that you can discuss working arrangements with them for this period. Employees are expected to work when possible.

No detriment

Under the Employment Relations Act 2004, it states that it is automatically unfair to dismiss or subject an employee to any detriment because s/he has been summoned for jury service or had time off work for jury service.

Useful information

For questions about jury service, please refer to Gov.uk Jury Service information - <https://www.gov.uk/jury-service> or or call on 020 7202 6800

Alternative Formats

This document is available in other formats. Call 03000 421553 or email alternativeformats@kent.gov.uk

