

It could be you ... jury service

The significance of the revision of Schedule 33 of The Criminal Justice Act 2004, which came into force on 5 April 2004, had not troubled me. This was to change upon my return from my holiday, when I was summoned for jury service at the County Crown Court in 8 weeks time. Along with approximately 180 000 others each year, my name had been randomly selected from the electoral register, and I was warned that I was liable to a fine of £1000 if I did not reply or attend court without good reason. Doctors, along with judges, bishops and politicians are no longer automatically excused jury service, thus permitting juries to be fully representative of local communities. Satisfied that I did not fulfil any exclusion criteria: I had no outstanding convictions, was not on bail, or suffering mental illness, I was keen to perform my public duty, but was troubled by a number of questions. How would my experience compare with the fictional television series 'Judge John Deed'? How was I to put the idea to my four partners? The costs to the practice of a partner being absent for 10 working days or possibly longer due to jury service, had not been considered in our partnership agreement or covered by any insurance policy. As no one (except me!) had planned leave for the period, the option of deferment, which can be sought only once for up to 12 months was not appropriate: now was as good a time as any. Should a case for discretionary excusal be made? BMA guidance¹ explains that a GP could put forward a number of circumstances to request excusal. These could include working in a small or single-handed practice, a practice with a high patient load where jury service would have serious implications for service delivery or difficulty obtaining locum cover. It was agreed we could not honestly make such a case, so with a mixture of envy at my having an extra 2 weeks 'leave' and goodwill, my partners secured the services of a locum for some of my absence, and waited for the day to arrive.

The Crown Court, one of 78 in England and Wales hears the more serious criminal cases transferred from the magistrates court. The building is a fine example of modern architecture built for purpose some 2 years ago. The jury assembly room is comfortable and spacious enough to accommodate the 80 or so jurors required each day for the five courtrooms. It needs to be, for as much time can be spent sitting there as in the courtroom! Some indication is given of the duration of each trial, so there was no real concern that I would be away for longer than the estimated 2 weeks. Fifteen names are randomly selected for each sitting of which 12 names are then randomly selected to sit, although the defendant can exercise their right to reject any juror.

In the end I was selected for two trials; charges of dangerous driving and assault causing actual bodily harm. In total, I sat in court for parts of 4 days, turned up for a day and was not needed, and spent 2 days on telephone standby at work before being 'released' with 3 days to spare, as, surprisingly, the courts were not busy. Attendance was usually from 10:30 am and although in theory the court sat until 4:30 pm the latest I left was 4 pm.

So was the experience worthwhile? For me it certainly was. I enjoyed the camaraderie that develops with fellow jurors from all walks of life, as well as meeting one other GP and an NHS direct nurse. Meeting familiar faces each day reminded me of residential courses I had attended. I was fortunate in that the cases I faced were not so emotionally challenging that I dwelt on them at night, as sometimes happens with cases at work. I was impressed by the judges I heard and the theatre that develops in the courtroom. The discussions preceding verdicts were democratic and thoughtful with all opinions sought and heard; in contrast to some multidisciplinary meetings I have attended. I wondered if we might learn something for our professional lives from the experience of being shut away without mobile phones or

interruptions until a unanimous decision was made. How good it was also to enjoy a leisurely breakfast, a guaranteed lunch hour and be home for tea. I also enjoyed the egalitarianism of the experience, being there because I was a name on the electoral role and not as a doctor. In the cases that I heard, my professional background was irrelevant, the decisions I came to were based solely on my personal response to the evidence presented. Admittedly this evidence was selective, sometimes contradictory, with firm advocacy on each side and difficult to sort out. Not so unlike the day job really!

If there was a downside it was all the waiting. I found the waiting on standby, while back at work difficult, and not being able to prebook surgeries on those days was frustrating. I was fortunate that my partners supported me so I did not lose out significantly in financial terms; the maximum daily allowance of £58.38 for loss of income cannot cover the costs of a locum. Perhaps my partners considered that it could be one of them called next time. I am at least excused for the next 2 years!

Paul Head

REFERENCE

1. BMA. Guidance for medical practitioners summoned for jury service. <http://www.bma.org.uk/ap.nsf/Content/juryservice05?OpenDocument&Highlight=2,jury,service,guidance,medical,practitioners> (accessed 7 Feb 2007).