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THE CONVERSATION

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Jurors need help – gruelling criminal cases can leave them with lasting trauma

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Matt Brooks

Senior Lecturer in Forensic Psychology, Manchester Metropolitan University

Hannah Fawcett

Senior Lecturer in Psychology, Manchester Metropolitan University

People in England and Wales have no choice about whether they take part in jury duty – eligible people are obliged to do so by law. However, this important civic role can range from a boring inconvenience to a deeply upsetting and even life-altering event.

Sleepless nights, flashbacks, and anxiety are all symptoms of distress reported by jurors who have heard the last graphic moments of a victim's life. Jurors may be forced to listen to upsetting accounts from the relatives of murder victims, hear victims of sexual assault share their experiences, or be presented with graphic images of death and injury. One juror who sat on the trial of the murder of five-year-old Logan Mwangi suffered nightmares and was signed off work for a month.

Evidence may be presented over many weeks or months, with little respite for jurors. Those selected for the trial of Lucy Letby, who was convicted of the murder of six babies and the attempted murder of seven others, sat through nine months of evidence before spending a further two weeks deliberating to reach a verdict. While these jurors' "distress" was recognised by the government, no counselling was offered.

Research shows that up to 50% of jurors around the world experience signs of trauma, which for some people last for months after the end of a trial.

Who is Lucy Letby? The nurse who murdered babies - in the wor...



Jurors need help

It is not just exposure to graphic details that could be distressing for jurors. Being isolated from family and everyday routines, the pressure to reach a verdict, and disagreements between jurors in the deliberation room can all be incredibly stressful.

For some, personal experiences of trauma may be brought to the forefront. For example, a juror with childhood experiences of sexual abuse may end up sitting on a child sexual abuse trial, as there is no formal way to excuse themselves from such cases.

A recent change in the law in Canada allows jurors to discuss their experiences of the case and deliberations as part of therapy – a coping strategy that could land jurors in England and Wales in jail. Currently, jurors in England and Wales are only signposted to their GP or the Samaritans charity, neither of which have training or expertise in what jurors go through. Jurors may be hesitant to offload their experiences on to their family and friends through fear of burdening them or breaking the law.

There is clear evidence that therapy and talking about trauma is an effective way to help manage distress, and being unable to talk about cases could make it harder for jurors to ask for support and move on from their juror experience.

As part of our research, we spoke to jurors who said they were “unprepared” for jury duty and felt “isolated” from those around them. Jury service is a valuable civic duty, but more support is clearly needed to help prepare jurors for this important role.

Supporting distressed jurors

There are steps to help support jurors dealing with challenging cases internationally. Canada, Australia and Scotland have all set up counselling services for jurors – although in the latter case, referral for support depends on the judge’s discretion.

Research using jurors in England and Wales is difficult due to legal restrictions. However, through our research, we are trying to understand the difficult parts of jury duty and develop ways to better support jurors.

We can learn from Canada, where court staff are being trained in the signs of juror distress so they can effectively signpost them to support services. Peer-support programmes, where jurors can share their concerns with someone with shared experience of the difficulties of jury duty, may be one useful approach.

Within England and Wales, juror support has been raised by Baroness Berridge in the House of Lords. As part of our research, we recently organised a meeting in parliament with representatives from the Ministry of Justice, Canadian Juries Commission and the Victoria (Australia) Juries Commissioner, as well as academics, practitioners and jurors who had sat on disturbing cases, to explore better ways to support jurors.

We now have an international network of people sharing good practice and working to raise awareness of the important work that jurors do. This includes establishing a “juror appreciation day” to highlight the stresses of jury duty; reducing stigma attached to jury duty by employers; reducing barriers in help seeking; and gaining support for the creation of free specialist psychological support for jurors.

Around 350,000 people are called up for jury duty each year in England and Wales, to help make sure justice is done. We hope that, in the future, every juror will receive the recognition they deserve as well as access to appropriate support – so that jury duty does not define the rest of their lives.