

MEDIA RELEASE

CIVIL JURIES ENSURE COMMUNITY INVOLVEMENT IN OUR COURTS

16 February 2016



NEW SOUTH WALES
BAR ASSOCIATION

The President of the New South Wales Bar Association, Noel Hutley SC, today called for the reinstatement of the use of juries in civil matters.

The New South Wales Bar Association has recommended to the Attorney General that the *Supreme Court Act 1970* and *District Court Act 1973* (NSW) be amended to restore the right to jury trials in civil proceedings.

Since amendments made to those Acts in 2001 and the restrictive interpretation placed upon those amendments by the courts, civil juries have fallen into complete disuse, apart from in defamation cases.

‘There are compelling reasons for the reinstatement of juries in civil trials’ Mr Hutley said.

‘Juries provide a crucial community contribution to the justice system. They ensure that decisions in the courts reflect community standards and that the legal system is not dominated by judges and legal practitioners. In addition, jury trials result in greater community acceptance of civil justice system outcomes’ said Mr Hutley.

‘It is by no means obvious that time is saved by removing a right to jury. The usual jury trial is not substantially longer or more expensive than a trial by judge alone’ Mr Hutley said.

‘Trial by jury has a fundamental importance and value to the community and individual litigants. It has intrinsic value as a civil right and democratic safeguard. The Bar Association calls upon the Government to restore the use of civil juries in New South Wales Courts.’

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