



Summary of Judgment

THE JURIES COMMISSIONER v SLATTERY [2017] VSC 3

16 January 2017

A Victorian citizen has received a \$2,000 fine and been ordered to serve 80 hours of unpaid community work for failing to comply with a summons for jury service, in the Supreme Court of Victoria.

Justice Jack Forrest today imposed the fine and community corrections order on Mr Slattery in *The Juries Commissioner v Slattery*.

Mr Slattery was summoned to attend at the Melbourne Law Courts as a juror in May 2016.

Having been granted a deferral of jury service in May 2016, he was summoned again however refused to attend for jury service on 12 October 2016, notwithstanding entreaties from the office of the Juries Commissioner that he do so.

The application brought by the Juries Commissioner pursuant to ss71 and 81 of the *Juries Act 2000* (Vic) ('the Act'), seeking the imposition of a penalty against Mr Slattery for his failure to comply with the summons requiring his attendance as a juror, was heard by Justice Forrest last week.

“The mere fact that Mr Slattery had a pressing work commitment does not provide an adequate basis for him refusing to attend. That he made a considered choice to continue with his work, rather than engage in the vital civic function of jury service, does not constitute a reasonable excuse. To the contrary, it was unreasonable for Mr Slattery to put the commercial interests of his company ahead of the serious obligation on his part to perform jury service,” said his Honour.

Justice Forrest found that Mr Slattery was guilty of an offence under s 81(1)(a) of the Act.

In his ruling, Justice Forrest said that jury service is “a fundamental part of our system of justice and particularly so in Victoria, which utilises the services of members of the community both to decide civil disputes and to determine guilt in criminal cases”.

His Honour said that the public importance of the jury task and the need to ensure that potential jurors understand the significance of the function he or she performs, and the need to punish

and deter Mr Slattery as provided by s5 (1) (a) and (b) of the Sentencing Act, were of primary importance in determining an appropriate sanction.

His Honour ordered that Mr Slattery be fined the amount of \$2,000, and made a community corrections order requiring Mr Slattery to perform 80 hours of unpaid community work within a six month period.

NOTE: This summary is necessarily incomplete. The only authoritative pronouncement of the Court's reasons and conclusions is that contained in the published reasons for judgment.