

B4

Motion

Proposer: Cyn Muthoni (Green Party)

Title: **Defending Jury Trials as a Democratic
Safeguard**

Motion text

1 **The Young Greens note that:**

2 ● The Starmer administration has put forward plans to scrap the jury-trials in
3 England and Wales for crimes that carry a likely sentence of less than three
4 years.

5 ● Trial by jury is a long-standing democratic institution, with roots traceable
6 to Ancient Greece, where groups of citizens were entrusted with resolving
7 disputes, reflecting the principle that judgement should come from one's peers.

8 ● The foundations of the modern jury system in England and Wales were laid
9 during the reign of King Henry II, particularly through the Assize of Clarendon
10 1166, which established key principles still present today, including state-
11 initiated prosecutions and testimony given under oath.

12 ● The Abolition of Trial by Ordeal in 1215 created a procedural necessity for
13 determining guilt through human fact-finding, giving juries their modern role
14 within the justice system.

15 ● Taken together, these developments demonstrate that juries are not merely a
16 historical relic, but a vital mechanism for impartial fact-finding, community
17 participation, and protection against the arbitrary use of state power.

18 ● Jury trials play a significant role in maintaining public confidence in the
19 fairness, legitimacy, and social relevance of the justice system by entrusting
20 ordinary citizens with responsibility for legal decision-making.

21 ● Jury trials enable the incorporation of diverse perspectives, including local
22 knowledge, cultural understanding, and community values, ensuring that the law
23 is applied humanely and contextually rather than purely mechanically.

24 ● The practice of jury equity (or jury nullification) allows juries to acquit
25 defendants despite evidence of an offence where strict application of the law
26 would result in an unjust outcome, particularly in cases involving political
27 protest, whistleblowing, or exceptional mitigating circumstances.

28 ● Recent indications from the UK Government suggest attempts to direct or limit
29 how judges interpret the European Convention on Human Rights, highlighting the

30 **fragility of judicial independence.**

31 ● **Proposals to reduce or bypass jury trials have been criticised by legal**
32 **professionals, including the Law Society, as undermining the right to be judged**
33 **by one's peers.**

34 ● **The Law Commission has recommended the limited removal of juries only in**
35 **specific serious sexual offence cases, not the abolition of jury trials across**
36 **all Crown Court cases.**

37 ● **A growing cohort of judges are planning on leaving the profession in the next 5**
38 **years (39% in England and Wales). The courts service seems set to be immobilized**
39 **either way due to lack of staff. Nullifying the argument given by the government**
40 **that scrapping jury trials would accelerate court proceedings.**

41 **The Young Greens believe that:**

42 ● **Jury trials are a cornerstone of democracy and a critical safeguard against**
43 **the over-concentration of state power.**

44 ● **In a political climate where many people feel increasingly disillusioned and**
45 **disconnected from Parliament and executive decision-making, jury service remains**
46 **one of the few ways citizens can directly and continuously participate in the**
47 **operation of the state.**

48 ● **Democracy must extend beyond periodic elections and include meaningful,**
49 **ongoing participation in public institutions, including the justice system.**

50 ● **Jury trials strengthen fairness and legitimacy by embedding community judgment**
51 **within legal decision-making, ensuring outcomes reflect societal values as well**
52 **as legal principles.**

53 ● **Jury equity plays an important democratic role by allowing communities to**
54 **resist unjust applications of the law and hold the state accountable where laws**
55 **are applied disproportionately or without compassion.**

56 ● **Attempts to weaken jury trials risk undermining public trust in the justice**
57 **system and eroding democratic accountability.**

58 ● **In the context of threats to judicial independence and human rights**
59 **protections, jury trials represent a vital, direct form of democratic**

60 involvement that must be protected and defended.

61 **The Young Greens resolve to:**

- 62 ● Reaffirm unequivocal support for trial by jury as a fundamental democratic
63 right and an essential safeguard within the justice system.

- 64 ● Oppose proposals that seek to significantly restrict, bypass, or abolish jury
65 trials in cases beyond narrowly defined and evidence-based exceptions.

- 66 ● Call on the Green Party of England and Wales to publicly defend the right to
67 be judged by one's peers and resist efforts to concentrate judicial or executive
68 power at the expense of democratic participation.

- 69 ● Advocate for the protection of judicial independence, human rights frameworks,
70 and community involvement in the administration of justice.

- 71 ● Promote public understanding of jury service as a meaningful and empowering
72 form of democratic participation.

73 **References**

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75 peers
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80 [3] The Avalon Project – Assize of Clarendon, 1166
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83 Ordeal
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85 [5] BBC – How did the courts backlogs get so bad?
86 [How did the courts backlog get so bad? - BBC News](#)

87 [6] University College London Judicial Institute – UK Judicial Attitude Survey,
88 England & Wales Courts, Coroners and UK Tribunals
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91 years. <https://www.bbc.co.uk/news/articles/cn5lxg2l0lqo>

Supporters

Charlie Aldous (Gwent Green Party), Gabriel Harris (Carmarthenshire Green Party)