

# Jurors Behaving Badly in Downing Centre Court

Not many people are thrilled to be selected for jury duty – but some have their own ways of livening the opportunity; whether it is a seemingly harmless game of Sudoku, the occasional snooze or a flirtation.

Here are some of the ways jurors have been caught misbehaving in trials at [Downing Centre District Court in Sydney](#).

## Solving Sudoku

After sitting through a gruelling three months of trial – including the testimony of 105 witnesses – it came to the Downing Centre District Court judge's attention that [several jurors had been completing Sudoku while in the jury box](#).

It wasn't until one of the defendants in the commercial drug trial saw the jury forewoman doing what appeared to be a Sudoku that the jury's behaviour came under the radar. The conduct was also observed by the co-accused; and on that basis, the defence barristers made a successful application to discharge the jury, and the whole trial had to be started again – with a new jury.

The forewoman admitted in court that she and four other jurors had been solving the numbers puzzles, instead of concentrating on the evidence in the trial. She admitted spending more than half her court time on the puzzles each day. The jurors had been bringing Sudoku sheets with them to court and photocopying them using court facilities, then comparing results during breaks.

The judge was understandably less than impressed, telling the jurors they had let down everyone involved in the trial. But despite the disruption and wasted cost, the jurors had not

committed any offence – as there is no law against playing games in the jury box!

## **Flirting with the Defendant**

Another trial was aborted last year when it was discovered that the jury forewoman had been flirting with the defendant.

The case was drawing to a close when the foreperson was observed flicking her hair, raising an eyebrow and nodding in a 'suggestive manner' towards the defendant.

Again, the Presiding judge was unimpressed, stating ['discharging a juror for flirtatious behaviour is fortunately not something that happens all that often.'](#)

## **Independent Investigations**

Back in 2004, jurors in the infamous sexual assault trial of Bilal and Mohammed Skaf decided to conduct their own investigations outside the courtroom.

A few of the jurors got together and scoped out the location and lighting conditions of the alleged crime scene – a move which was specifically against the judge's directions. As a result, [the verdict of 'guilty' was overthrown and a new trial was ordered.](#)

It is against the law for jurors to undertake their own investigations, whether visiting alleged crime scenes, talking to others outside the courtroom or undertaking online research. The [maximum penalty for this offence is 2 years imprisonment and or a fine of \\$5,500.](#)

## **A Little Snooze**

One man used his jury duty as an opportunity to catch up on some extra Z's.

The assault trial of two bouncers was aborted on the second

day, after the judge noticed that the man had been dozing off. Before discharging the jury, His Honour stated 'one of your number has not been paying attention... we are concerned the juror may not be able to give a proper verdict.'

A similar incident occurred in the NSW Supreme Court, where [a juror in a murder trial was discharged after he continued to fall asleep in the juror box](#). The frustrated judge told the man to pack up and go home after he turned up late to court, following days of sleeping on the job. A good way to get out of jury duty, but an enormous waste of court time and resources.