



***T. Neshyk***

Postgraduate Student,  
Department of Justice, Law Faculty,  
Taras Shevchenko National University of Kyiv

## **GUARANTEE OF JURORS' RIGHTS AS A TOOL TO ENSURE RIGHTFULNESS OF COURT JUDGMENTS**

Jury trial, being a new organizational and legal form of criminal justice in Ukraine, implies implementation, within the litigation process, of certain changes, advanced legal practices and new culture of relationship associated with the functional peculiarities of such judicial institution.

The quality and results of jury's work in a court proceeding depend on the legal mechanism of the jury service support, as well as on the safety and immunity guarantees and pay rate of jurors. Unavailability of the appropriate mechanism of implementing the said guarantees for jurors entails impaired lawfulness and impartiality of jury-induced court rulings.

Today, local courts of general jurisdiction lack properly equipped jury-rooms, which could comfortably accommodate the whole body of the court in the process of advisement.

In author's opinion, a legislative resolution of the said problem would speed up the process of successful implementation of such form of trial. In the light of the above said, it would be reasonable

to supplement the law of criminal procedure with the requirement as to providing jury-rooms with dining and recreational spaces and amenities, as well as with guarding of such rooms at the time when the jury is discussing there the facts of the criminal case and the judgment to be passed.

Furthermore, just as important issue is the principle of proper independence and immunity guarantee for jurors, which constitutes an indispensable attribute of a law-governed state and is one of the fundamental footholds of a democratic society. This principle is to ensure and safeguard the supremacy of law and the right of individuals to a fair trial.

The legislative provision that jurors enjoy the same independence and immunity legal guarantees, as those granted to judges, during the time when they discharge their judicial duties, is somewhat declarative inasmuch as the scope of authority of the governmental institutions which may bring judges to criminal or administrative responsibility does not cover any juror-related issues.

