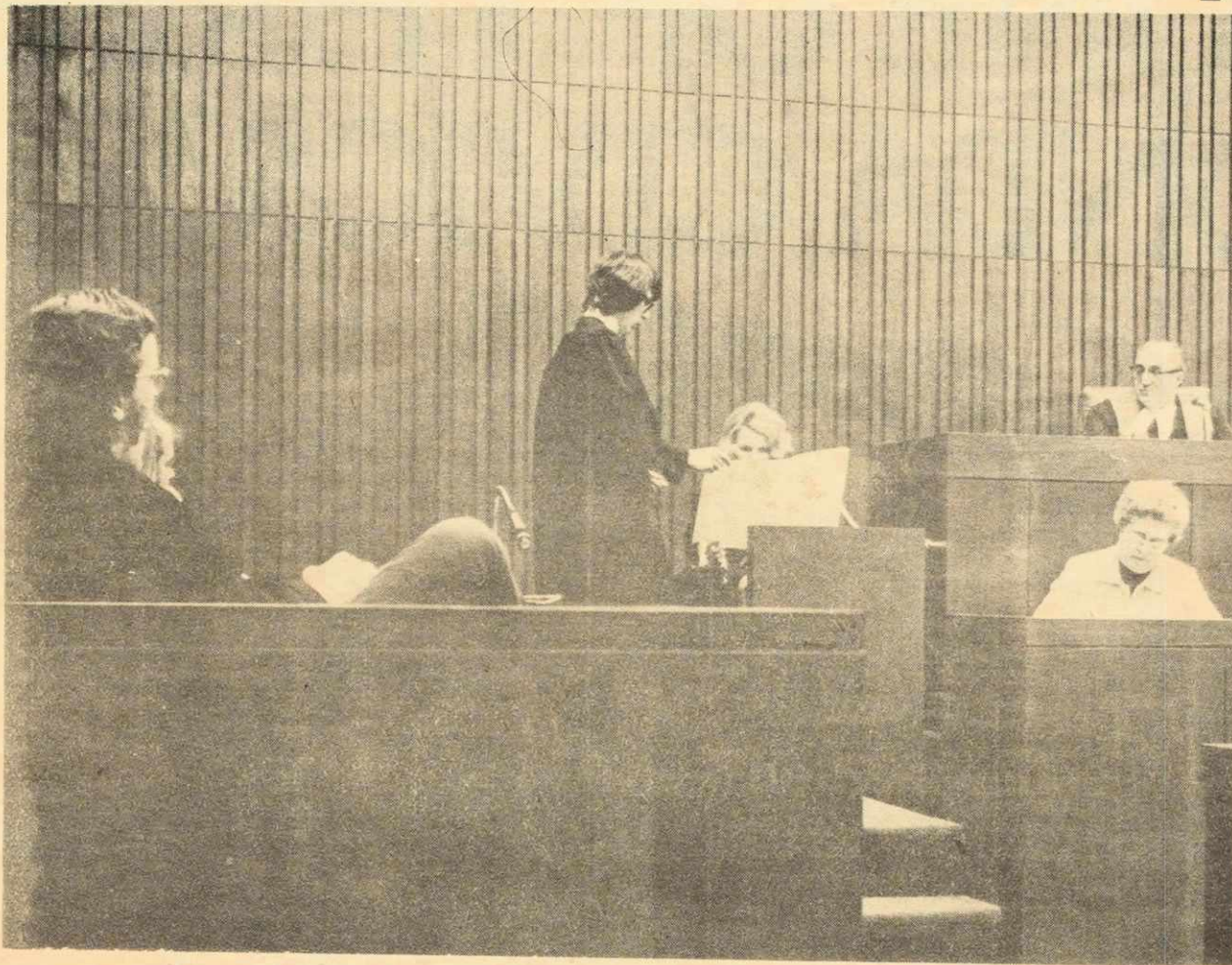


# So you want to be a juror



A Dalhousie Law School Trial Practice class holding a simulated trial at the Law Courts in Halifax.

by Royden Akerley

...And Patty Fitzgerald delivers another beautiful summation to the jury. It is their responsibility to find the verdict. These common men and women who have the power to deem whether a person is guilty or not.

How was this hypothetical jury selected and could you be a part of it? Daniel Morrison of the Provincial Law Courts in Halifax was questioned on this.

It was found from his conversation how impossible it is to predict

who will participate. Each year during July and August the jury committee convenes. The committee consists of Morrison and the Halifax County, Halifax City and Dartmouth Assessors. These people randomly pick 1200 numbers from the electoral lists. Of these 1200, 600 are from Halifax city, and 300 each from Dartmouth and the county. These numbers then have the names and addresses attached and are placed on cards for each of the year's jurors. So if your name is

there and you are 19 plus, you may be selected but not eligible.

About a third of the names are not eligible. Reasons for this may be that you are:

1. over 65 years of age
2. you may have moved from the area
3. or are a member of the armed forces

So one evening you and your friend are reading the mail and you both receive notices to appear for jury duty in 8 days. You may not want to attend but the law says you are obliged to go, and your employer must give you the time off. As a result of this you still have your job and seniority when you return to work. You and your friend end up at court for jury selection with about 88 other of the judge's nominees. Your friend notices that he knows one or more of the participants or might have already made some conclusions concerning the trial. So your friend declines to serve on the jury. Suddenly you find yourself a part of sixty or so possible jurors. Both lawyers have the right to challenge any twelve people. You file in one at a time and by luck sit on a select jury representing a cross section of society.

You sit through a day of the trial, at the end of which you are instructed not to listen to the news nor read anything or talk about the trial. Usually, unless it is a case which is very sensitive or political you may return home for the evening.

After the summation you adjourn to make one of the most important decisions of your life. You will decide the fate of a person, the guilty or innocence. Your decision is supposed to be on the facts but how can you not use your heart. It is the balance of the two that is the basis for a just decision.

It will be well worth your time to attend a jury if the chance happens your way.

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## Gun control laws

This is one of the extracts of "The Highlights of the Peace and Security Program" the Federal Liberal Government under former civil libertarian, Justice Minister, and "Just Society" founder Pierre Trudeau proposes to make as law.

On the surface "gun control" legislation seems to have the potential of controlling the abuse of firearms, but it would seem more reasonable to have a training licensing program for users of firearms. The guns are not at fault.

The implication in the legislation is that gun owners may have to endear themselves to their police forces in order to maintain ownership of their weapons.

In future issues the Gazette will publish other parts of the program.  
**Editor's note.**

There is a growing concern about the increase in crimes and tragic incidents involving the use of firearms. Murders committed with firearms have increased from 178 in 1970 to 272 in 1974. In fact, guns are the most common murder weapons and claim almost one-half of all murder victims. They also claim over one-third of Canada's twenty-five hundred suicide victims and are the instruments of over one hundred accidental deaths annually as well.

Existing Canadian legislation on the possession of handguns is among the best in the world. But the owners of some ten million long guns, such as rifles and shotguns are subject to few restrictions on their use and handling of these weapons.

The government shares the

public's concern regarding the use of firearms in the commission of crimes, suicide and gun-related accidents. Amendments to the Criminal Code and other measures are being proposed to control the general availability of guns, to promote increased public responsibility in relation to firearms, and to increase the penalties for the use of guns during the commission of offences. This legislation, however, will not prevent the legitimate ownership and use of firearms for such purposes as hunting and target-shooting.

### Penalties

Guns are the tools of the trade for many criminals, especially robbers. They are selected deliberately or are used because of their ready availability. New provisions will specify higher maximum sentences for most crimes involving offensive weapons. Further, if a person uses an offensive weapon while committing an indictable offence, he will be liable to a mandatory minimum sentence of at least one (1) year and up to fourteen (14) years, to run consecutively to any other sentence imposed.

### Seizure of Weapons by Police

Under existing law, the police can seize weapons without a warrant only if a crime is actually being committed or has already been committed. Under the present provisions a warrant may be obtained to seize weapons from a person where there are grounds for believing that his possession is not

*continued on page 11*