

**Special Measures , Special Influence? Exploring
the Impact of Screens, Live Links and
Video-Recorded Evidence on Mock Juror
Deliberation in Rape Trials**

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Aims & Research Questions

■ Aims:

- To assess whether, and in what ways, jurors' perceptions of adult rape testimony are influenced by the use of screens, live links or video-recorded evidence
- To examine the interplay between juror perceptions and juror evaluation of evidence in adult rape cases, and to examine the resultant impact of this on verdict outcomes
- To analyse interactions between the mode of evidence delivery and juror perceptions in the wider context of policy debates about criminal justice responses to rape and to prosecutions involving vulnerable adult witnesses more generally.

■ Research Questions:

- In what ways, if at all, are jurors' perceptions of rape testimony influenced by the mode in which the complainant's evidence in an adult rape case is presented?
- To the extent that jurors' perceptions are influenced by this, in what ways, if at all, does this appear to affect their evaluation of the trial evidence and, therefore, their ultimate conclusions about guilt or innocence?

Into the Jury Room: Method

- 4 mini-trials re-enacted for public volunteers
 - TV Link
 - Screen
 - Video Evidence + TV Link
 - Control
- Basic Scenario – ex-partners, time alone at V's home, contested consent to intercourse
- 5 juries (8-9 members) observed each trial
- 90 minute deliberation (majority verdict after 75)



Data: Deliberation & Questionnaire

- Questionnaires completed:
 - (i) post-observation but pre-deliberation
 - (ii) post-deliberation

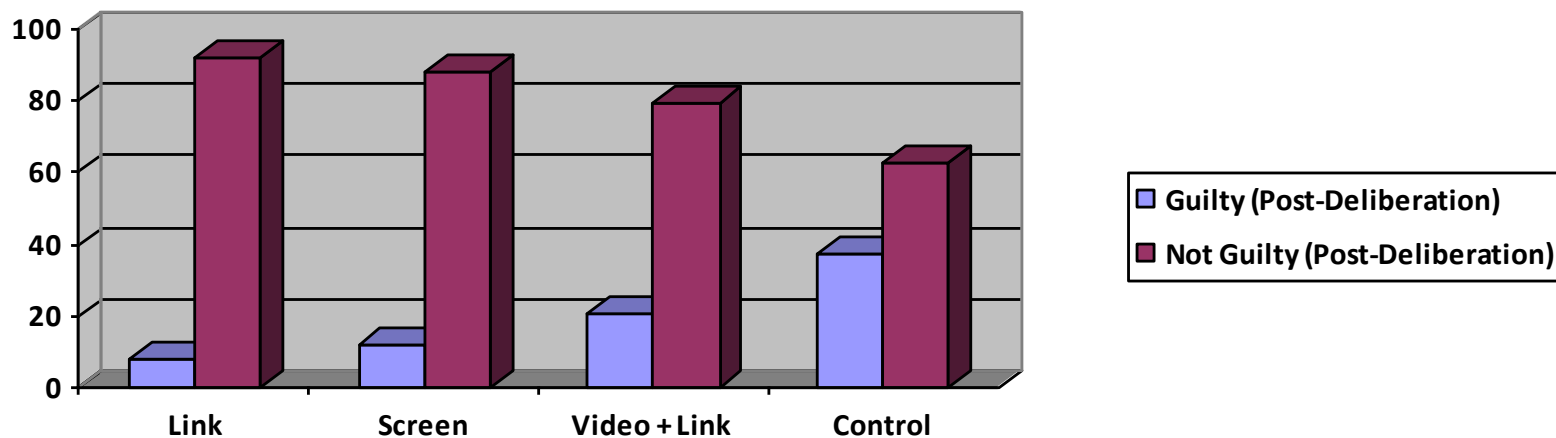
- 2 key functions:
 - To track verdict shifts across deliberations
 - To triangulate data re. procedural variables

Verdict Outcome Across Trials

	Not Guilty	Not Guilty majority	Guilty	Guilty majority	Hung
Link	3	2			
Screen	3	1			1
Video	3	1	1		
Control	2	1	1	1	

Individual Guilty Votes (post-deliberation)

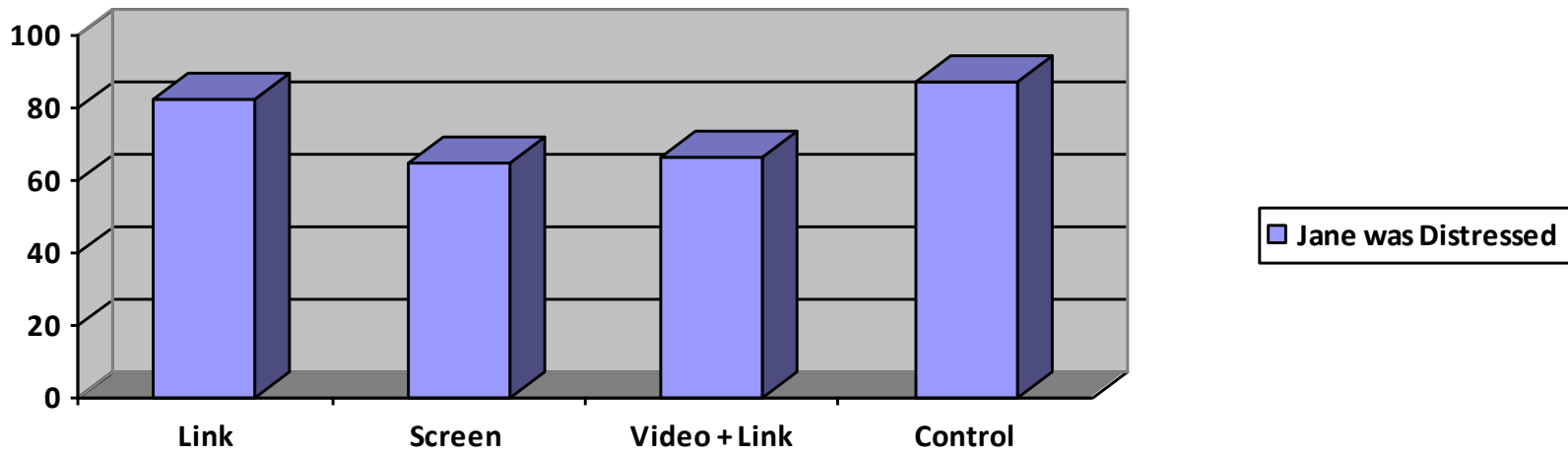
	Link	Screen	Video	Control
% of guilty votes	8% (n= 3/39)	12% (n= 5/43)	21% (n=8/38)	37% (n=15/40)

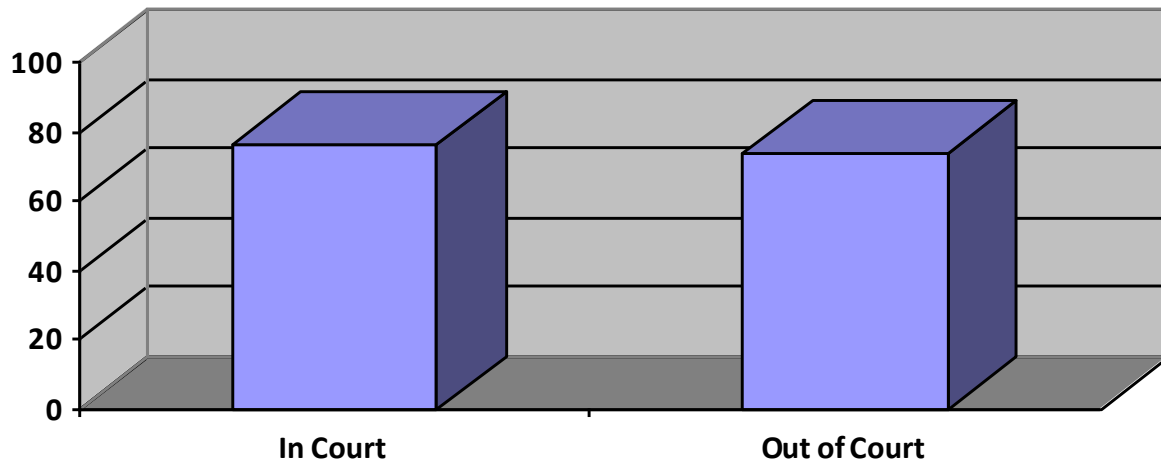




Tracking Influence of Special Measures

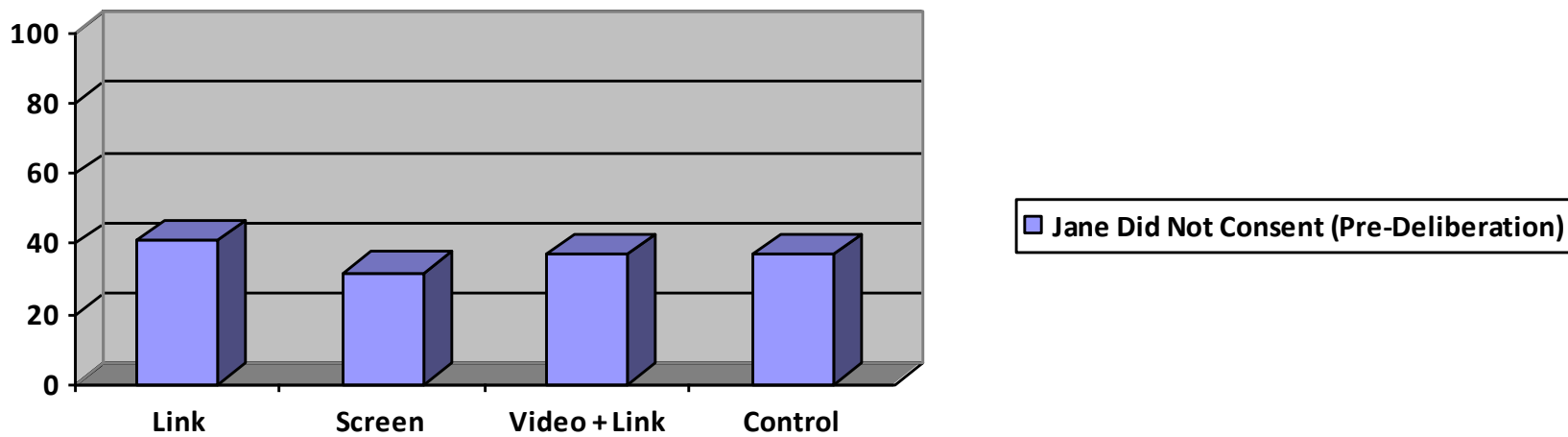
- Reduce Emotional Impact
- Influence Assessments of Credibility
- Unfairness to the Parties

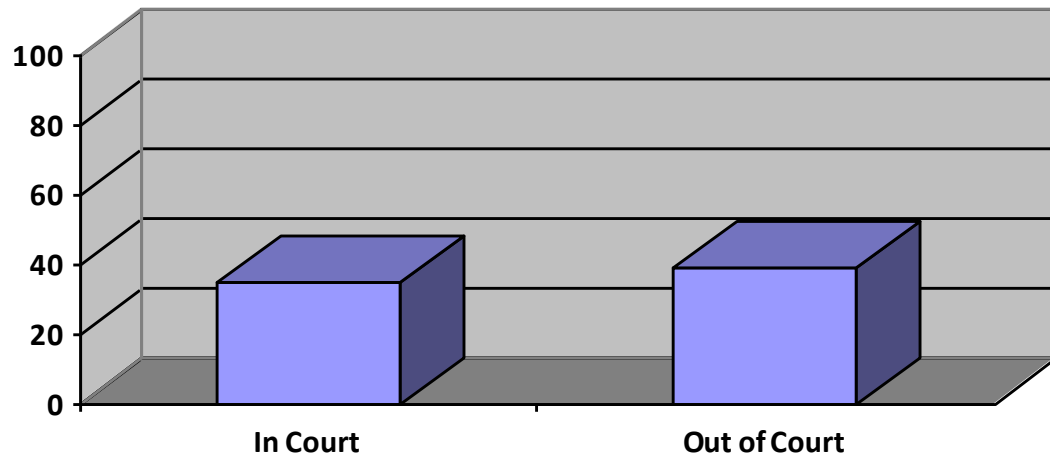




■ Jane was Distressed

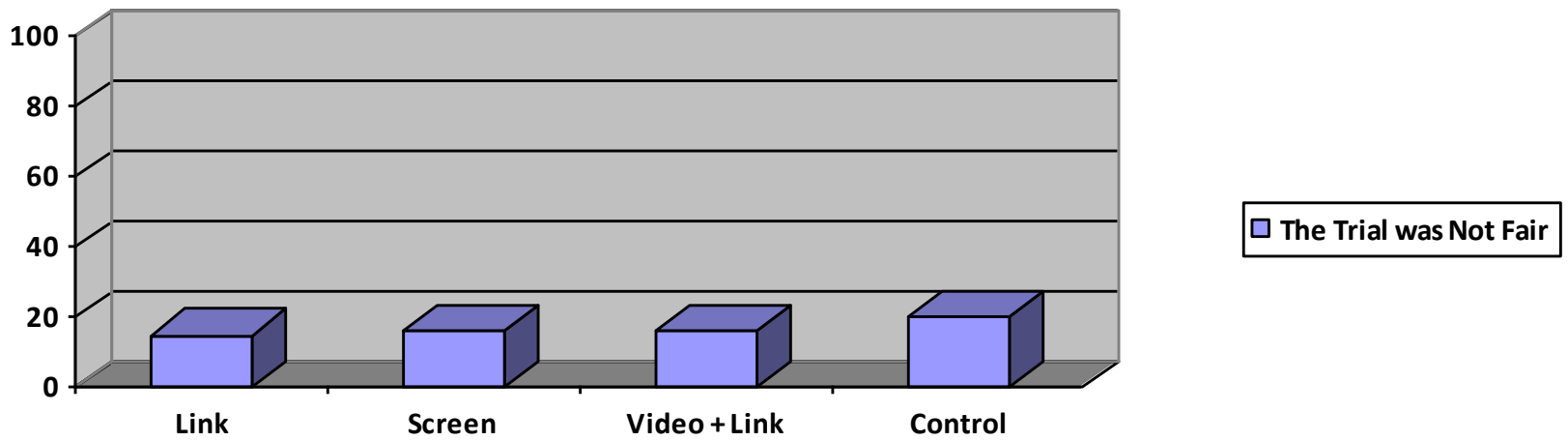
	Link	Screen	Video	Control
% of jurors who believed Jane did not consent (pre-deliberation)	41 (16/39)	32 (14/43)	37 (14/38)	37 (15/40)





■ Jane Did Not Consent (Pre-Deliberation)

	Link	Screen	Video	Control
% of jurors who believed Jane did not consent (post-deliberation)	33 (13/39)	16 (7/43)	24 (9/38)	40 (16/40)





Summary of key findings

- Use of special measures had no consistent impact upon juror evaluation of rape testimony
- Jurors' responses furnished no clear or consistent evidence of reduced emotional impact when video-mediated testimony was used, relative to evidence delivered 'live and in the flesh'
- Mode of presentation did not substantially impact upon jurors' perceptions of credibility
- Mode of presentation did not substantially impact upon jurors' perceptions of trial fairness