

Anti-Corruption Helpdesk Answer

Trial by Jury: International standards, comparative practice and its role as a safeguard against corruption

Author: Maria Leonor Rodríguez Pratt, tihelpdesk@transparency.org

Reviewers: Jamie Bergin, Maria Constanza Castro (TI)

Date: 14 July 2026

This Helpdesk Answer examines the role of jury trials, reviewing the relevant international standards, comparative practice, and available evidence on whether it can help reduce the risk of judicial corruption. No international legal instrument requires trial by jury, leaving States free to decide how cases are adjudicated if fair trial guarantees are respected. Existing research does not indicate that juries perform better or worse than professional judges in corruption cases. Instead, factors such as case selection, evidence and trial management appear to have a greater influence on outcomes. Jury trials may make it harder to influence the outcome of a case by spreading decision-making across ordinary citizens rather than a single judge. However, they are not a solution to judicial corruption on their own. Their effectiveness depends on wider safeguards, including independent investigations, fair prosecutions and strong judicial institutions.



Query

Can jury trials act as a safeguard against corruption in the judiciary? What international standards, laws, conventions, and/or principles recommend or require trial by juries, and in what context? Is there data on which countries do/do not have trial by juries?

Main points

- No international legal instrument requires trial by jury. International and regional fair trial standards protect procedural guarantees but leave states broad discretion over whether and how to involve lay citizens in criminal adjudication.
- Comparative practice shows no single model. More than fifty countries retain some form of jury or lay participation, while many others rely on mixed tribunals or judge-only trials, reflecting different legal traditions rather than a settled international practice.
- Evidence does not show that juries produce lower-quality adjudicative outcomes than professional judges, either generally or in corruption cases specifically. Differences in conviction rates vary across jurisdictions, while case selection, evidence presentation and trial management appear more influential.
- Studies of juror comprehension in complex financial and corruption-adjacent cases are more encouraging than intuition suggests, with jurors shown able to process such evidence competently once it is properly structured and sequenced. Comprehension appears to depend more on how evidence is presented than on any fixed limit on lay capacity, although some controlled studies still report notably low comprehension scores for technical material.
- Spain is among the few jurisdictions where the legislature reasoned explicitly about jury fitness for corruption-related offences, assigning bribery, influence trafficking and misappropriation to the jury by statute on the ground that the conduct lacks excessive complexity. Spain's own conviction and appeal statistics, however, neither clearly confirm nor refute that assumption.
- Juries may strengthen judicial independence by dispersing decision-making power. Randomly selected lay panels are generally less susceptible than individual judges to institutional, political or personal influence, although this proposition is supported more by indirect than direct empirical evidence.

Contents

Introduction	4
Jury Trials: general advantages and limitations	7
Trial by jury in corruption cases.....	9
Juries as a check on judicial corruption	12
References	14

Introduction

Trial by jury occupies a peculiar position in the architecture of democratic governance: universally invoked as a symbol of legitimacy yet practised in strikingly different forms — and with markedly different frequency — across the world's legal systems. Writing in *Democracy in America* in 1835, Alexis de Tocqueville described the jury as placing the real direction of society in the hands of the governed rather than the government, a formulation that remains a touchstone in debates about the institutional design of criminal adjudication (Tocqueville, 1835). Whether that aspiration is realised in practice depends, however, on how the mechanism is structured, how widely it is deployed, and what normative standards govern its operation — questions have been answered differently from jurisdiction to jurisdiction.

The global landscape of lay participation in adjudication is best understood as a spectrum rather than in binary terms. Of the world's approximately 195 sovereign states, almost two-thirds of them retain some form of jury trial within their legal systems (Hans, Diamond, Ivkovic, & Marder, 2024). In most of these jurisdictions, however, juries are used primarily in criminal proceedings, with only a limited number extending their use to certain civil cases (Hans, 2008; Leib, 2007). That figure, though, masks significant internal diversity. At one end of the spectrum sit the common law jurisdictions of the United States, United Kingdom (England, Wales, Scotland, and Northern Ireland each operating under distinct rules), Canada, Australia, New Zealand, and Ireland, where trial by jury for serious criminal offences is deeply embedded in legal tradition and, in some jurisdictions, constitutionally protected.

At the other end, however, some jurisdictions with civil law foundations have nonetheless adopted jury systems. In Latin America, Brazil confines the lay jury to intentional offences against life; Argentina has introduced provincial jury systems as a democratising reform, with several provinces adopting the mechanism since 2015¹. Russia restored lay juries following the dissolution of the Soviet Union. Spain, having enshrined trial by jury in its 1978 democratic constitution, implemented it only in 1995 through a distinctive pure-jury model requiring jurors to answer a structured questionnaire and produce a reasoned verdict (Hans, 2008; Marder, 2011).

At the other end of the spectrum, a substantial number of jurisdictions have either never adopted or have explicitly dismantled the lay jury. In Asia, India — a common law country — abolished jury trials in 1960² following the acquittal of a defendant in a case

¹ Since 2015, jury trial legislation has been adopted in the following Argentine provinces: Chaco, Mendoza, Entre Ríos, Río Negro, San Juan, Chubut, Catamarca, Buenos Aires, and Santa Fe.

² The year 1960 marks the Bombay High Court's reversal of the jury's acquittal in the Nanavati case, the episode that triggered widespread loss of confidence in jury trials in India. The formal, nationwide abolition, however, was not enacted until the Code of Criminal Procedure of 1973 (in force from 1974), which simply omitted any provision for trial by jury.

that provoked widespread controversy, a decision that most other Asian common law jurisdictions, such as Singapore and Malaysia, eventually mirrored (NOLO, 2024). Japan offers a more recent and instructive counterpoint: having suspended its original jury law in 1943, the country introduced the *saiban-in* system in 2009, a mixed tribunal in which six randomly selected lay assessors sit alongside three professional judges to determine both guilt and sentence in serious criminal cases — a reform explicitly motivated by the desire to restore democratic legitimacy to a criminal justice system perceived as excessively closed and prosecution-dominated (Levin & Tice, 2009; Miyazawa, 2014). South Korea implemented a comparable lay judge system around the same time, and scholars have described both experiments as part of a broader late-twentieth-century international movement towards the democratisation of criminal procedure (Han, 2014).

The trajectory in sub-Saharan Africa tells a different story. The British Empire exported the jury to its colonies — Ghana, Nigeria, Kenya, and Sierra Leone among them — but participation was invariably restricted to a narrow, predominantly male and Western-educated elite, with Africans frequently judged by juries having no ties to their communities (Vogler, 2001). Following independence, most former British colonies in the region shifted to judge-led trials: Nigeria abolished its jury system in 1976 after persistent problems with juror intimidation and inconsistent verdicts (Emeka & Ogiri, 2021); South Africa abolished its jury by statute in 1969, a process driven not by any principled assessment of lay adjudication but by the structural impossibility of a fair trial before an all-white jury under apartheid (Vogler, 2001). By contrast, most Francophone Africa jurisdictions inheriting the French civil law tradition under which the Anglo-American jury never became a central feature of criminal adjudication (Hans & Germain, 2011).

Much of continental Europe occupies yet another position, relying instead on mixed tribunals such as the German *Schöffen* and French *échevinage* models (Hans & Germain, 2011), in which lay assessors and professional judges deliberate and decide cases jointly. Unlike the Anglo-American jury, these systems do not institutionalise a division between lay jurors and professional judges; instead, factual and legal questions are resolved collectively by a single adjudicative body.

As Hans has documented in the most comprehensive comparative survey of the field, the relevant question is not simply whether a jurisdiction uses juries, but how different methods of lay participation promote or detract from fact-finding, legal consciousness, civic engagement, and citizen power over the state's coercive apparatus (Hans, 2008). Equally important is the normative framework within which jury systems operate. In the United States, the primary professional reference remains the American Bar Association's *Standards for Criminal Justice: Discovery and Trial by Jury* (3rd ed., 1996), a soft-law instrument codifying best practice across the full arc of the jury process — from the right to trial and the conduct of *voir dire*³ through to the management of deliberations and the return of the verdict — subsequently supplemented by the [ABA's](#)

³ In common law systems, *voir dire* refers to the pre-trial process by which prospective jurors are questioned to assess their impartiality and suitability for jury service

[Principles for Juries and Jury Trials](#) (2005). At the constitutional level, the Sixth Amendment guarantees the right to trial by an impartial jury in serious criminal cases. In [Duncan v. Louisiana](#) (1968) the Supreme Court described that guarantee as a fundamental safeguard against arbitrary law enforcement. Internationally, the European Convention on Human Rights does not mandate jury trial as such, but Article 6's guarantee of a fair trial has generated a growing body of Strasbourg jurisprudence on the duty to give reasoned verdicts — with direct implications for lay jury systems that return bare general verdicts — a line of authority that intersects with domestic reform debates⁴.

Against this backdrop, the lay jury is in structural retreat even in the jurisdictions where it is most deeply rooted. This decline has been widely attributed to the rise of plea bargaining in criminal justice, the increasing reliance on negotiated settlements and alternative dispute resolution in civil litigation, and broader institutional changes that encourage the resolution of disputes before trial rather than their adjudication by juries (Staszak, 2022). In the United States, juries resolved approximately six per cent of federal civil cases in 1962; today that figure stands below one per cent, with criminal jury trials accounting for roughly two per cent of cases resolved at trial — the vast majority disposed of instead through plea agreements (The Conversation, 2025). In England and Wales, facing with a record Crown Court backlog of nearly 80,000 cases, and as part of a broader programme of criminal court reform, UK Justice Secretary proposed in December 2025 restricting jury trial to murder, rape, manslaughter, and a narrow category of public interest offences, with the remainder redetermined between magistrates' courts and new judge-only' swift courts (UK Government, 2025; BBC, 2025). The Institute for Government's analysis concluded that this would place England and Wales outside the mainstream of comparable democracies and concentrate adjudicative power in a manner unusual even among non-jury systems, where judges more typically sit in panels (Institute for Government, 2025). This Helpdesk Answer examines an aspect of jury trials that seems to have received comparatively little attention in both the scholarly literature and policy debates: whether lay juries can operate as a structural safeguard in corruption trials and against judicial corruption.

The analysis explores the hypothesis that certain institutional characteristics of lay juries may make them less vulnerable to some forms of judicial corruption than professional courts. Unlike career judges, jurors are selected on an ad hoc basis and generally have no continuing professional relationship with litigants, prosecutors or political authorities, potentially reducing some of the channels through which improper influence is conventionally exercised (Rodriguez Pratt, 2025). That advantage is not absolute — juries remain exposed to intimidation, bribery and manipulation of the selection process, and professional judges retain considerable influence over proceedings even where a jury determines the facts. Assessing whether the balance of these institutional features favours juries as an anti-corruption safeguard requires examining, in turn, the general case for and against jury trials, their specific record in corruption cases, and their potential role as a check on judicial misconduct.

⁴ E.g. *Zarouali v. Belgium* (1994); *Taxquet v. Belgium* (2010); *Lhermitte v. Belgium* (2016)

Jury Trials: general advantages and limitations

The jury has long occupied a contested place in comparative legal theory: praised in one corner as a safeguard of democratic legitimacy and criticised in another as a source of unpredictability, opacity, and vulnerability to external pressure.

The case in its favour rests principally on legitimacy rather than technical accuracy (O'Malley, 2019). Lay adjudication allows community standards and values to determine the application of the criminal law without generating binding precedent (Sanders, 2008). It also distributes decisional authority across a determinate number of individuals rather than concentrating it in a single, potentially capturable office-holder (JUSTICE, 2020). Civic participation is itself treated as a constitutive good: jury service is one of the few duties the citizenry performs directly in the administration of justice, and this reciprocity is held to sustain public confidence in the system as a whole. A further, less normative argument concerns deliberative quality: group decision-making can offset the idiosyncratic biases of an individual decision-maker and may improve collective recall of the evidence (JUSTICE, 2020, p. para. 12).

Against this, three lines of criticism recur. The first concerns comprehension: jurors without legal or technical training may struggle with complex expert, financial, or scientific evidence, a limitation of relevance to corruption trials (Robbennolt, 2005). The second concerns exposure to bias, since pre-trial publicity and, increasingly, social-media-driven disinformation create risks that are structurally harder to manage for a lay panel than for a professional judge (JUSTICE, 2020, p. para 11). The third, and most consequential for due-process doctrine, is the absence of a reasoned verdict in classical jury models, which impedes appellate review. Because juries generally return only a verdict, rather than a reasoned judgment explaining how they reached their decision, appellate courts may face greater difficulty in reviewing the basis of a conviction. The European Court of Human Rights confronted this directly in [Taxquet v Belgium](#), holding that the absence of reasons in a jury verdict may violate Article 6 ECHR where the accused is unable to understand the basis of the conviction. At the same time, the Grand Chamber made clear that trial by jury is fully compatible with the Convention, provided that the proceedings contain sufficient procedural safeguards—such as clear judicial directions and carefully framed questions to the jury—to enable both the accused and the public to understand the verdict. The reform that followed this jurisprudence in several civil-law jurisdictions, notably Belgium and Spain, has itself generated a secondary debate as to whether reasoning requirements compromise jury independence or merely invite post hoc rationalisation rather than genuine ex ante deliberation (Burd & Hans, 2018; Thaman, 2011).

A narrower but related concern is jury tampering and intimidation, especially salient for organised crime and white-collar offences where the accused retains the capacity for

retaliation (JUSTICE, 2020). This exposes a tension with the diffusion rationale above: a panel of private citizens may resist bribery better than a single officeholder, but it may also be easier to intimidate, since jurors lack the institutional security and anonymity protections available to judges — a risk heightened where corruption defendants have the standing and networks retaliation requires. Organised-crime trials illustrate the mechanism: Italy's use of mixed lay-professional panels in mafia cases (Whithorn, 2023), and the UK's provision for judge-only trial on proof of jury tampering under the Criminal Justice Act 2003 ([s.44](#)), both reflect a judgment that lay adjudication becomes unreliable once the accused has motive and means to reach jurors directly.

Comparative empirical work has not established clear differences between outcomes of judicial or jury trials. Studies measuring judge–jury agreement find the two bodies converge in the substantial majority of cases, and that judicial fact-finding is not systematically more accurate where they diverge in case outcomes; legal training appears to confer little demonstrable advantage in evaluating contested evidence (Robbennolt, 2005).

Cross-country evidence adds a further, structurally important finding: public trust in the judiciary is measurably higher in jurisdictions that retain jury trial than in those that do not, and jury jurisdictions also tend to exhibit stronger judicial constraints on other branches of government and better-performing criminal adjudication systems overall (Liu & Chen, 2021). Liu and Chen are careful to flag that the relationship is correlational, leaving open whether juries generate trust or whether societies with pre-existing institutional trust are simply more likely to adopt and retain them, a caveat that matters for any argument advanced later in this paper that treats jury participation as causally protective against judicial capture (Liu & Chen, 2021).

This empirical ambivalence is reflected in the reform debate itself. Recent comparative scholarship, drawing on high-profile Australian and American cases, concludes that, notwithstanding sustained criticism, neither jurisdiction has seriously entertained abolition; the live debate has shifted from whether to retain the jury to how to reform it, with juror education and competency-oriented induction identified as the most promising interventions (Thompson, 2024).

Trial by jury in corruption cases

Direct literature on jury performance in corruption trials specifically is thin. Most of the available evidence instead comes from studies of jury decision-making in complex fraud cases or from research on jury vulnerability in terrorism and organised crime prosecutions. Neither body of literature is concerned with corruption as such, but both address issues that arise in corruption trials.

Although conviction rates should not be treated as a definitive measure of performance—since high acquittal rates may simply reflect weak or over-inclusive prosecutions—they remain a useful descriptive indicator. On that basis, the clearest data point comes from Rusca's review of every corruption trial heard by Córdoba's Province⁵ (Argentina) mixed panels combining professional judges and lay jurors between 2004 and 2012: an acquittal rate of 33.3%, against 19.6% for the other offences within the same jury's competence (Rusca, 2014). Across all cases, 81% of corruption cases were unanimous, compared with 78% for remaining offences, suggesting little evidence of systematic disagreement between professional judges and lay jurors. More tellingly, none of the twenty-one trials involved the "economic crimes" category the reform was built around, and prosecutions clustered on low-ranking officials and small-town mayors (Rusca, 2014, pp. 118 - 121).

Spain appears to be among the few jurisdictions where the legislature reasoned explicitly about jury fitness for this offence class. The Ley Orgánica del Tribunal del Jurado assigns bribery, influence trafficking and misappropriation to the jury by name, on the stated ground that the conduct involved "lacks excessive complexity." Spain's 1995-2020 statistics provide a useful point of reference: 89.7% of jury verdicts were convictions, above the rate in summary (84%) and abbreviated (81%) proceedings tried by professional judges, with only 27.3% of appeals against jury verdicts succeeding (CGPJ, 2020, pp. 6,8,24). Set against the statistics from Argentina cited by Rusca figures, one can observe Spanish juries convicted more in corruption cases than judges whereas in Argentina they convicted less, indicating no pattern can necessarily be generalised. Spain's prosecution of former Valencian premier Francisco Camps illustrates a different concern. His acquittal by five votes to four followed intense national media attention, while public debate before and after the trial centred not only on whether bribery was suitable for a jury trial, but also on whether an impartial jury could realistically be empanelled in such a high-profile case (El País, 2012; El País, 2009).

⁵ Córdoba was the first Argentine province to recognise trial by jury in its 1987 constitutional reform, later translating that commitment into practice through the 2004 Jury Law.

The existing research is overwhelmingly about fraud rather than corruption, but the evidentiary overlap (bank records, corporate structures, expert accountancy) makes it a fair proxy, and the findings are more optimistic than intuition suggests. The best-known study reconstructed the 1996 Maxwell fraud trial from the UK as a mock-jury simulation and found jurors processed complex financial evidence competently when it was properly structured (Levi & Charman, 1998). Post-trial interviews with jurors from the UK'S collapsed Jubilee Line fraud and corruption trial reached a similar conclusion: jurors generally reported that they had been able to understand the evidence despite its complexity (Lloyd-Bostock, 2007).

Studies of jury comprehension levels present a more nuanced picture, reporting comprehension scores under 50% in some controlled studies of technical material (Bornstein & Greene, 2011), with poorer comprehension tied more to how evidence is sequenced than to any fixed ceiling on lay capacity. A 2019 literature review of juror comprehension of forensic expert testimony reached a similar conclusion: jurors can absorb complex material when it is presented well, but presentation quality, not innate capacity, is the binding constraint (Eldridge, 2019). Survey evidence likewise suggests that laypeople draw legally coherent, rather than reflexively lenient, distinctions about white-collar culpability (Green & Kugler, 2012). England's Leveson Review (2025) sits in the middle of this tension: it accepts jurors can judge dishonesty "in the abstract" but doubts their footing where the alleged dishonesty depends on unfamiliar banking or trading conventions (MoJ, 2025, pp. 306 - 307) — essentially the Roskill Committee's 1986 position (p. 147), though Leveson's own review notes the Jubilee Line inquiry attributed that trial's collapse to case management, not jury incapacity. The City of London Law Society opposed Leveson's recommendation to remove serious fraud cases from jury trials, relying on essentially the same evidentiary considerations but reaching the opposite conclusion (The Law Society, 2025).

Overall, the documentary and inferential character of corruption evidence calls for caution. Taken together, these studies suggest that corruption cases sit exactly on terrain where comprehension research counsels most caution, and that, even there, structured evidence and disciplined case management —not the choice of factfinder as such— appear to do most of the work.

Complexity is only one of the challenges presented by high-profile corruption prosecutions (Transparency International, 2025). The Camps case (El País, 2012), and the London prosecution of former Nigerian oil minister Diezani Alison-Madueke (Reuters, 2026) illustrate the cumulative difficulties encountered in such cases, including prolonged investigations, extensive publicity, sophisticated defence strategies and cross-border evidence, none of which is unique to jury trial.

These findings also help explain why conviction rates offer a little basis from broad conclusions about jury performance. Across the jurisdictional surveyed, the gap between lay and professional adjudication runs in different directions, making it difficult to sustain any general claim that juries are systematically more lenient in corruption cases.

A separate question concerns capture. Here, the evidence tends to favour retaining rather than removing the juries. A cross-country study using World Justice Project rule-of-law data across 111 jurisdictions finds that countries with jury trials are generally measured as having both stronger judicial constraints on government power and criminal justice systems perceived as more free of corruption than jury-less systems — a correlation the authors read as evidence that lay participation reinforces judicial independence rather than undermining it (Liu & Chen, 2021). A commentary on jury reform in post-Soviet states adds a caveat worth keeping: the same randomness that makes a panel hard to capture also leaves it exposed if jurors are not properly protected, so the safeguard is not self-executing but depends on how it is administered (Marshall, 2018).

Juries as a check on judicial corruption

The case for trial by jury as a structural safeguard against judicial corruption rests on a simple proposition: a lay jury, having no judicial career to protect and no ongoing relationship with the parties before it, is harder to reach than a career judge through the networks of influence that compromise professional benches. The most developed treatment of this proposition is Brent T. White, who draws on Mongolia as a principal case study (White, 2010). White's broader target is the prevailing view that rule-of-law reform — understood as professionalising and insulating career judiciaries — is a precondition for development in transitional states. Building a more professional judiciary, according to him, leaves the underlying incentive structure untouched; lay participation is not a poor substitute for judicial reform but a more direct remedy for one of its central failures, since an ad hoc panel of citizens sits outside the very networks through which pressure on individual judges is exercised.

White supports this with an empirical assessment of the Mongolian judiciary. Judges there rank just below customs officials as the second most distrusted category of public official, and judicial appointment and promotion still run largely through *tanil tal*, the informal kinship and patronage networks embedded in Mongolian public life. Formal safeguards such as life tenure and a more professional bench do little against this: according to White, the disciplinary machinery created to police judicial conduct has in practice been used more often to punish judges who resist patronage pressure than to sanction those who yield to it (White, 2010, pp. 323;326-331).. White's thesis has attracted critical attention in turn: a review of the argument questions how far conclusions drawn from the Mongolian experience generalise to other emerging democracies, and whether juries risk being treated as a substitute for, rather than a complement to, longer-term institutional reform (JOTWELL, 2011). A comparable debate has unfolded in relation to Ukraine, where the reintroduction of jury trial has been advanced by reform-minded institutions as one strand of a wider anti-corruption strategy running alongside the creation of the High Anti-Corruption Court, and where similar doubts persist as to whether the reform can succeed absent parallel change to investigation and prosecution (Reznik, Bondarenko, Utkina, Klypa, & Bobrishova, 2023).

Beneath this structural argument sit several more specific mechanisms said to operate at the trial stage. Where jury trial follows the classical model, the presiding judge cannot direct a verdict of conviction, which removes one of the more straightforward means by which a compromised judge might otherwise impose a predetermined outcome in a bench trial. The fact that a verdict is reached by a panel of six to twelve individuals, rather than by a single decision-maker, raises materially the cost and complexity of capture: reaching multiple people, typically unknown in advance and drawn from outside the circle of repeat litigants and legal professionals, is harder than securing the

cooperation of one judge whose position and relationships are a matter of public record.

These same features generate corresponding blind spots, and it would be a mistake to treat a jury as resolving the problem of judicial corruption rather than relocating it. Legal instructions to the jury, rulings on the admissibility of evidence, and, in many systems, sentencing after conviction remain within the mandate of the professional judge, who therefore retains substantial indirect leverage over the outcome even where a jury sits in judgment. This is not merely theoretical: a dedicated study of jury corruption identifies the points at which jury impartiality can itself be compromised, including juror intimidation, bribery, and manipulation of the selection process, and concludes that juries are not inherently immune to the pressures they are sometimes assumed to resist⁶ (Brooks, 2019). Transparency International's *Global Corruption Report 2007* is more cautionary still: lay participation is no panacea where the investigation, prosecution, and sentencing that surround the trial remain captured (Transparency International, 2007). A clean verdict from an uncorrupted jury offers limited protection if the charge, the evidence admitted, or the sentence imposed downstream remain subject to manipulation.

Direct literature on jury trial and judicial corruption specifically remains limited, and where it is silent, the wider literature on the advantages and disadvantages of jury trial supports cautious inference rather than settled conclusion. Features generally advanced in favour of juries — lay participation, deliberative diversity, the absence of career incentives — point toward a reinforcing effect on the safeguard described above. Features generally identified as weaknesses — susceptibility to prejudice, vulnerability to media and public pressure, and the comparative opacity of deliberation to outside scrutiny — suggest channels through which pressure could be redirected toward jurors or displaced onto the judge-controlled stages of instruction, admissibility, and sentencing. This is offered as a reasoned extrapolation from the broader literature, not as an independently evidenced finding.

Writing on jury reform in Armenia and Georgia, Susannah Marshall argues that jury trials could mitigate judicial corruption in systems where career judges have historically been suspended or removed for politically inconvenient rulings (Marshall, 2018). Her point of emphasis is liability rather than access: a judge's ruling is attributable to a named individual with a career at stake, while a jury's verdict is not, which removes a specific pressure point — the threat of professional retaliation — that operates on judges but not on jurors. Marshall pointed to Georgia's introduction of jury trials after 2011 as a comparable, if imperfect, precedent for judicial systems seeking to insulate fact-finding from executive interference.

⁶ Historical experience offers a further illustration. In Uruguay, public controversy following the jury trial of the so-called *Crimen de la Ternera* contributed to the political momentum that culminated in the abolition of criminal jury trials in 1938.

References

- BBC (2025). [Justice secretary wants jury trials scrapped except in most serious cases](#)
- Bornstein, B., & Greene, E. (2011). Jury Decision Making: Implications For and From Psychology.
- Brooks, G. (2019). [The jury and potential for corruption.](#)
- Burd, K., & Hans, V. (2018). [Reasoned Verdicts: Oversold?](#)
- CGPJ. (2020). [Ley Orgánica 5/1995 del Tribunal del Jurado. 25 años, Boletín de Información Estadística N° 77.](#)
- Eldridge, H. (2019). [Juror comprehension of forensic expert testimony: A literature review and gap analysis.](#)
- El Pais. (2009) Usted mismo puede juzgar a Camps
- El País. (2012). [El jurado absuelve a Camps y Costa.](#)
- Emeka, N. G., & Ogiri, O. T. (2021). [A Case for the Adoption of Jury Trial in Nigeria.](#)
- Green, S., & Kugler, M. (2012). [Public Perceptions Of White Collar Crime Culpability: Bribery, Perjury, And Fraud .](#)
- Han, S. (2014). [Jury Trials and the Role of the Citizens in the Criminal Court.](#)
- Hans, V. (2008). Jury Systems Around the World.
- Hans V. & Germain, C. (2011). The French jury at a crossroads.
- Hans, V., Diamond, Ivkovic, & Marder (2024) Judgment by Peers: Lay Participation in Legal Decision Making
- Institute for Government. (2025). [David Lammy's proposals for judge-only trials would make England and Wales an outlier.](#)
- JOTWELL. (2011). [Juries and Emerging Democracies.](#)
- JUSTICE. (2020). [Position on jury trials.](#)
- Leib, E. (2007). [A Comparison of Criminal Jury Decision Rules in Democratic Countries.](#)
- Levi, M., & Charman, E. (1998). [Juror competence in processing complex information: Implications from a simulation of the Maxwell trial.](#)
- Levin, M., & Tice, V. (2009). [Japan's New Citizen Judges: How Secrecy Imperils Judicial Reform.](#)
- Liu, J. Z., & Chen, L. (2021). [Jury trial and public trust in the judiciary: evidence from cross-countries comparison.](#)
- Lloyd-Bostock, S. (2007). [The Jubilee Line jurors: Does their experience strengthen the argument for judge-only trial in long and complex fraud cases?](#)
- Marder, N. (2011). [An introduction to comparative jury systems.](#)
- Marshall, S. (2018). [Are Jury Trials the Solution to Corruption in Armenian Courts?](#)
- Miyazawa, S. (2014). [Citizen Participation in Criminal Trials in Japan: The Saiban-in System and Victim Participation in Japan in International Perspectives](#)
- MoJ. (2025). [Independent Review of the Criminal Courts.](#)
- NOLO. (2024). [Do All Countries Have Trial by Jury?](#)
- O'Malley, K. M. (2019). [Trial by Jury: Why it Works and Why it Matters.](#)
- Reuters. (2026). [Nigeria's ex-oil minister Alison-Madueke cleared of all charges in UK corruption trial.](#)
- Reznik, Bondarenko, Utkina, Klypa, & Bobrishova. (2023). [Anti-Corruption Transformation Processes in the Conditions of the Judicial Reform in Ukraine Implementation.](#)
- Robbennolt, J. (2005). [Evaluating Juries by Comparison to Judges: A Benchmark for Judging?](#)
- Rodriguez Pratt, M.L, (2025) Lobbying of the judiciary: Risks and mitigation measures
- Rusca, B. (2014). [Implementación del Juicio por Jurado en Delitos de Corrupción. Un Análisis de la Experiencia Cordobesa.](#)
- Sanders, J. (2008). A norms approach to jury "Nullification": interests, values, and scripts.

- Staszak, (2022). Explanations for the Vanishing Trial in the United States.
- Thaman, S. (2011). [*Should Criminal Juries Give Reasons for Their Verdicts?: The Spanish Experience and the Implications of the European Court of Human Rights Decision in Taxquet v. Belgium.*](#)
- The Conversation. (2025). [*Jury trials, a critical part of democracy, are disappearing.*](#)
- The Law Society. (2025). [*City lawyers attack Leveson jury plan.*](#)
- Thompson, K. (2024). [*Should We Reform the Jury? An Australian Perspective.*](#)
- Tocqueville. (1835). [*Chapter XVI: Causes Which Mitigate the Tyranny of the Majority in the United States*](#)
- Transparency International. (2007). Global Corruption Report 2007: Corruption and judicial systems.
- Transparency International. (2025) Chasing Grand Corruption: Hurdles to detection, investigation and prosecution of complex cases across the EU.
- UK Government (2025) 'Swift and fair' plan to get justice for victims
- Vogler, R. (2001). [*The International Development of the Jury: The Role of the British Empire.*](#)
- White, B. (2010). [*Putting Aside the Rule of Law Myth: Corruption and the Case for Juries in Emerging Democracies.*](#)

*Transparency International
International Secretariat
Alt-Moabit 96
10559 Berlin
Germany*

*Phone: +49 - 30 - 34 38 200
Fax: +49 - 30 - 34 70 39 12*

*tihelpdesk@transparency.org
www.transparency.org*

*transparency.org/en/blog
facebook.com/transparencyinternational
twitter.com/anticorruption*