

The Influence of Social Media on Juror Bias in Court Trials

The role of the juror is to hear evidence presented in court to decide on whether the accused is guilty or not guilty.

The jury consists of 12 members of the public who sit to one side of the judge.

One of the jurors acts as an informal chairperson and spokesperson for the jury. The jurors are given the responsibility of deciding whether, on the facts of the case, a person is guilty or not guilty of the offence for which they have been charged.

The jury must reach its verdict by considering only the evidence introduced in court and the directions of the judge.

Rules

Jurors must:

- Decide the facts of the case only.
- Take directions relating to law from the trial judge.
- Remain neutral and independent.
- Remain uninfluenced by any person who may attempt to sway the juror in any way.
- Keep statements made in the jury room confidential. Jurors should not discuss the case with any person other than members of the jury. It is contempt of court punishable by fine and/or imprisonment to repeat any statements made in the jury room.



Despite being instructed to base their decisions only on the evidence presented in the courtroom, it's impossible for individuals to block out all outside content, especially when social media is so ingrained into daily life. Information from news stories and social media posts might be available to jurors, clouding their judgement of the evidence presented in court.



People often base their opinions on what they see on television or what they read in a newspaper, and most knowledge about the criminal justice system is gained through social media outlets. The media can use the law as a source of entertainment rather than a ruling sense of justice.

The existence of pretrial publicity frequently undermines the constitutional right to a fair trial. The involvement of the press in the legal system has seriously changed due to the rise of digital media and is now an even greater threat to the right to a fair trial.



Media exposure before a trial can influence a juror towards finding the accused guilty because the people involved on the prosecution side are usually the ones who provide information to the media. Stories in the media that are sympathetic towards the person on trial can lead to a “not guilty” verdict or a “guilty” verdict with a less harsh sentence, whereas unsympathetic stories can lead to “guilty” verdicts or a harsh sentence.



The dangers of pretrial publicity and the influence of the media within the legal system were recognised during the famous American criminal trial of O. J. Simpson. Before the trial, US lawyers struggled to select a jury that had not been previously exposed to news reports regarding the case. Research revealed that individuals previously exposed to Simpson's football career were more likely to be influenced by his celebrity status than by actual evidence presented in the trial.

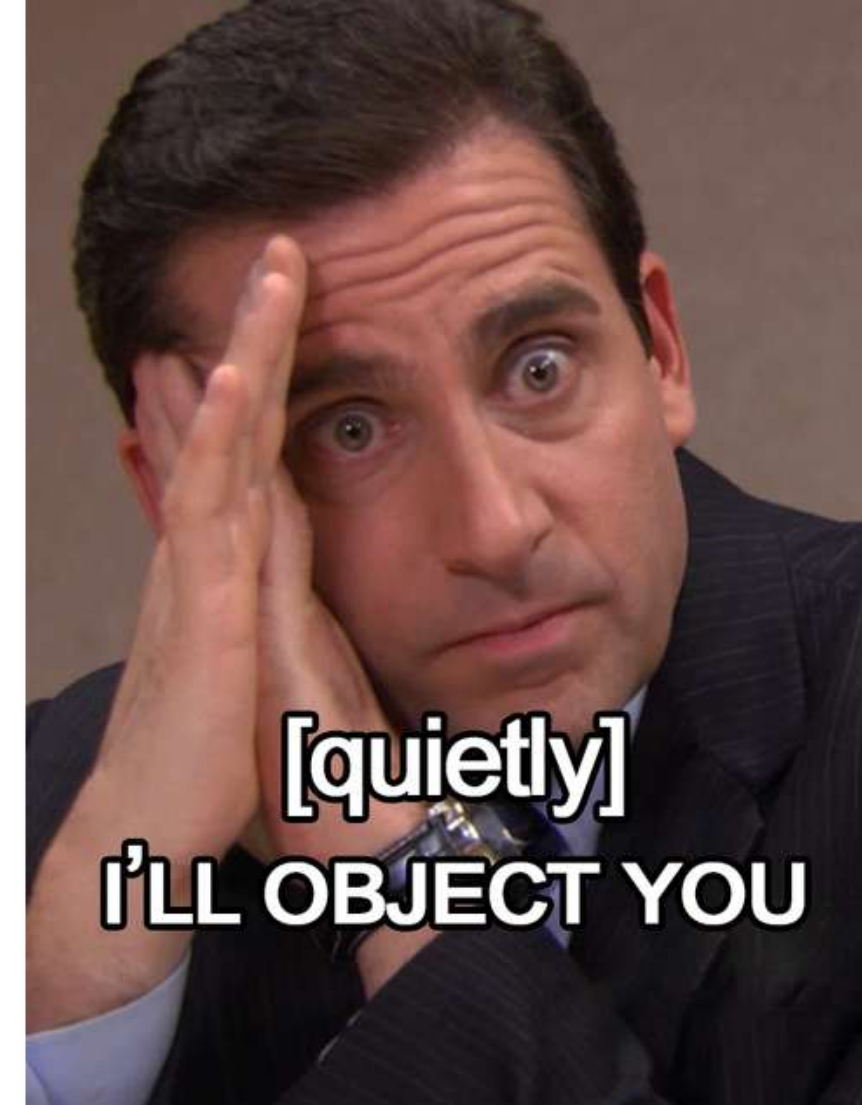


The famous football star, O.J Simpson, was on trial for the double murder of his ex-wife, Nicole Brown Simpson, and Ronald Goldman. On the day of his sentence, October 3, 1995, more than 150 million viewers watched the live broadcast trial to hear the verdict. These record-breaking numbers highlight the impacting relationship between media and the law. During this trial, the press was given access to almost every aspect of the case, including the coverage of the pretrial hearing. The legacy of this trial still lives on today, capturing the lasting effect of pretrial publicity.



LawEd
TAKING THE LAW FURTHER

Johnny Depp:
breathes
**Amber Heard's
lawyer:**



[quietly]
I'LL OBJECT YOU

The more recent yet famous American trial of Johnny Depp v Amber Heard was marked by a social media circus that overwhelmingly painted Depp as the hero and Heard as the villain, a tale that may have influenced the jury.

Juries are only supposed to evaluate the evidence presented in court, but the large amount of anti-Heard and pro-Depp content online was so significant that it's unlikely jurors weren't exposed to it, or that their friends and family weren't talking to them about the case.

This could have been avoided if cameras weren't allowed in the courtroom; because this was televised, content creators were able to cut snippets of the trials and turn them into memes, which were then viewed by billions.

If you would like to read more about this case, please [click here to read our blog post "What exactly is Defamation?"](#)

Courtrooms in Ireland

'in camera'



Photographing or videoing court proceedings is strictly forbidden in Ireland.

Family Law and Child Law cases are heard in private ('in camera') to protect the privacy of the family. Only those involved in the case are allowed in the courtroom. Sometimes the judge may allow solicitors, barristers, approved researchers or members of the press to report on a case. The publication of reports of family law cases cannot include names, addresses, or any other details which might identify the people involved.