

Guide to Applying for Expenses for Jury Service

This guide explains the allowances we can pay for your attendance as a juror.

Please read this guide carefully when filling in your claim form.

What can I claim?

You **may** be entitled to six kinds of allowance:

- **Travel** – for the cost of transport to court.
- **Subsistence** – for the extra cost of meals etc. that you buy while attending court.
- **Loss of earnings or benefits.**
- **Childminding** – for the extra cost of childminding and babysitting.
- **Adult carer allowance** – for the extra cost of caring for a dependant adult.
- **Other expenses** – you may be entitled to claim for any other unusual expenses.

More details about all allowances are given in the sections below.

Please note: the allowances are meant to compensate you for your out-of-pocket expenses and loss of earnings or benefits. They are not meant to compensate your partner or spouse.

There are maximum amounts which can be claimed for different allowances. The rates are fixed by Scottish Ministers and are reviewed every year. The maximum amounts payable are given in this guide. There is no scope for any juror to be paid more than these maximum amounts.

Travel

This allowance is for the cost of travelling from your home to court. **Please note:** you may not claim travelling expenses from any address other than your own unless you have permission from the court **in advance**. The amount depends on whether you used public or private transport (please see the table below).

Public transport: You must produce your tickets along with your claim form as evidence of your journey. Please note that if you are travelling by rail, you will only be able to claim a standard class fare.

Own transport: If you have travelled by motorcar or motorcycle, you will normally only be able to claim the **public transport rate of payment**, unless the clerk of court accepts that you used your own transport because there was no alternative public transport. In this case the standard rate may be payable. The rates are given in the table below. **Please note:** Parking costs will normally only be paid where public transport is unavailable or unsuitable for your personal needs.

Taxi: If you consider that you need to use a taxi, you must agree this with the clerk of court **before you attend for jury service**. The clerk of court will need to be convinced that no other kind of transport is available to you or that a journey using public transport would take an unreasonable time. If travel by taxi is approved, you must produce a receipt showing the fare which you paid.

Transport – rates payable

Type of transport		Allowance
Public		The cost of the ticket
Private – Public transport rate	Motorcar or motorcycle	31.4p per mile
	Bicycle	9.6p per mile
Private – Standard rate	Motorcycle	33p per mile
	Motorcar	47.1p per mile
Taxi		Fare paid

Subsistence

This allowance is for the extra expense of meals and other out-of-pocket expenses you pay while attending court (see the table below). You cannot claim this allowance if the court has provided (or offered to provide) your meals or refreshments.

Hours away from home/business	Allowance
Up to 10 hours	£5.71
Over 10 hours	£12.17

Loss of earnings

For the period you serve as a juror, you are entitled to claim if:

- Your employer **does not** pay you; or
- You suffer financial loss – for example, you are self employed and have to pay someone to substitute for you while you are away.

You can claim the actual amount you have lost on the basis of **net earnings** (after tax and national insurance have been deducted). If you are **self employed** Inland Revenue rules mean that this will be based on your gross earnings and you will be responsible for declaring the

money you get along with your business's other income. In both cases the amounts you can claim are **subject to the following limits:**

Amount of lost earnings/benefits	Allowance
Less than 4 hours	£32.47
More than 4 hours (for the period from day 1 up to day 5)	£64.95
Whole day rate (for the period from day 6 up to day 100)	£129.91
Whole day rate (for each day following 100 days)	£230

To claim loss of earnings, you should first ask your employer to fill in and stamp the certificate of loss of earnings/benefit enclosed. If your employer does not have an official stamp, another piece of evidence will be required before payment can be made (for example headed notepaper or an invoice). You should then bring the certified form to court when you attend for jury service, preferably on the first day.

You may be able to claim for financial loss as a result of your jury service through your home or personal insurance. If you are self employed, it may be that your policy will cover the cost of hiring someone to run your business for you while you are attending for jury service. You should read your policy carefully to see if you are entitled to claim. It may be that this information can be found in a Legal Costs or Legal Protection section of your policy. Please read your policy carefully as different policies can have different terms.

If you are **self-employed**, you will need to provide evidence of your earnings, such as an Inland Revenue self-assessment tax return or certified accounts for the previous year to support your claim.

Without the certificate of loss of earnings being completed and the required evidence being produced, payment cannot be made.

Loss of Benefit

You may be able to apply for loss of benefit if your benefit is withdrawn during your period of jury service. You should contact your local benefits office to advise them of the requirement for you to attend for jury service. If they tell you that they are going to withdraw your benefit during your period of jury service, you should contact the court to request a 'Certificate of Loss of Benefit' which you should ask the benefits office to complete. Without this certificate being completed and the required evidence being produced, payment cannot be made.

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Childminding/ dependant adult carer expenses

This allowance is for the extra expense of employing a childminder or a carer for a dependant adult. If you normally employ a childminder or carer, we will only pay the allowance if court attendance means you have to employ him or her for longer than usual. Please make sure you and your childminder/carers fill in the certificate and enclose it with your claim (this will have to be at the end of juror service). The childminding/carers allowance is set by the Scottish Court

Service. If you are claiming for a registered carer for a dependant adult a maximum of £6 per hour can be claimed. If your childminder/carers is not registered we will only be able to pay £1 an hour per child/adult.

Other expenses

You may be entitled to claim for any other unusual expenses. If you wish to claim for these you will need to agree this with the clerk of court **before you attend for jury service**. Please also make sure that you bring along evidence to verify these unusual expenses.

Method of payment

When you have filled in the enclosed claim form, you should return it by post or hand it in to the sheriff clerk's office when your period of jury service is completed. Payment will be made by cheque sent to your home address within 7-10 working days of your claim.

If you have any difficulty with these arrangements, then you should speak to the clerk of court on a confidential basis at the earliest opportunity.

Do you need help to complete the claim form?

If so, court staff will be happy to help and answer your queries.

Fraudulent claims

Please be honest in your claims for allowances. It is a criminal offence to make a fraudulent claim.

Additional information for employers

If your employee will not be paid their normal salary whilst on jury service, they will provide you with a form to complete to allow them to claim the allowance for loss of earnings, please note that there is a maximum amount payable, as noted above.

Jury service is unlikely to last for more than a week, but the exact length of any trial is hard to estimate. It depends on a number of factors, many of them outwith the court's control. For example, a trial involving a large number of witnesses will generally take longer than a trial with only a few. Cases which do take longer than a week are more likely to occur in the High Court, but can also on occasion happen in the Sheriff Court.

You may wish to continue paying your employee whilst they are undertaking their public duty. If you do not pay your employee whilst he or she attends for jury service, your employee may claim for loss of earnings.

However, there are maximum amounts which can be claimed and the current rates are [noted above](#).

Some business insurance policies have provisions for losses incurred as a result of jury service. For example they may cover losses due to employees being called for jury service or rearranging a business trip. You should check your policy carefully to see if you are entitled to make a claim.

Your employee may be required to attend court every day during the period of jury service. However, it may be possible to release your employee, either for whole days or half days, during that period of service. If this happens, your employee must return to work if at all possible. It is important that jurors are sufficiently fit and alert in order to carry out their important public duty.

Therefore we would recommend that they should not be made to work night shifts before they are due in court, or work weekends if this means that they do not have a break from either jury service or their job in the preceding seven days.