



GRATA
INTERNATIONAL

Local Knowledge
for Global Business

www.gratanet.com

In Russia, all categories of particularly serious cases and economic crimes can be referred to a jury

"Given that the courts of the Russian Federation have experience in considering cases involving jurors, I consider it possible to extend this procedure to the consideration of criminal cases on all particularly serious crimes and crimes in the field of business activity, in the materials of which there is no information about state secrets," - said the Chairman of the Supreme court of the Russian Federation Vyacheslav Lebedev at a meeting of judges.

This is not the first time that a jury has expanded its powers. This is not some unexpected innovation, but a gradual process that lasts for many days. For almost two years, "people's assessors" can consider cases under the articles "Murder" and "Intentional infliction of serious harm to health". In 2018, juries began to be formed not only in regional and regional courts, but also in district courts.

One of the main advantages of this innovation for businessmen and persons accused of particularly serious crimes is the fact that juries often pass acquittal sentences. While they acquit about 25% of the accused, professional judges issue only 1% of acquittals. Yes, it is worth considering that 15% of acquittals were later overturned due to procedural violations, but nevertheless the chance to be released is higher.

Another advantage is the exclusion of custom cases. Not so long ago, the head of the police Department was arrested, who initiated criminal cases against entrepreneurs for the purpose of extortion and bribes, and then these cases were surprisingly stopped. Now investigators will understand that such cases will not go unnoticed in a jury trial.

One of the obvious disadvantages is the complexity of implementation with this extension. We will have to mobilize a large number of people, which is difficult both from a financial point of view (compensation for jurors) and from a practical point of view (attracting more people, with all the consequences in the form of recusals, absenteeism, refusals, and so on).

It is also worth considering that jurors may find it difficult to understand the intricacies of economic crimes. There are concerns that the verdict will depend on which side tells a more beautiful and compelling story. On the one hand, we can say that this is a human factor, and it can be present during the consideration of any case by a jury, but on the other hand, we must take into account that economic crimes are not as clear as "domestic" ones.

It is obvious that the institution of juries is a necessary tool of justice, and the extension of its powers is necessary and logical, but it is necessary to hone and improve the mechanisms of its work.

*Author: Ekaterina Shlykova – Legal assistant
GRATA International St. Petersburg*

Practice areas

[DISPUTE RESOLUTION](#)

Locations

RUSSIA