

14. Directed Verdict

14.1 Legislation

[Last reviewed: December 2024]

Nil.

14.2 Commentary

[Last reviewed: December 2024]

Nil.

14.3 Suggested Direction

[Last reviewed: December 2024]

At the close of the prosecution case, I was called upon to decide as a matter of law whether there is evidence on which you could return a verdict of guilty of [insert offence].

I concluded that there is no evidence on which you could find beyond reasonable doubt that [insert fact and, if appropriate, elaborate on the flaw in the evidence].

This means you will not be retiring to consider your verdict. Instead, I am directing you that you must return a verdict of not guilty of [insert offence]. The verdict must come from you, but you have no choice in the matter.

My associate will ask you whether you find the defendant guilty or not guilty of [insert offence]. Through your speaker, you must answer not guilty.

14.4 Appendix

[Last reviewed: December 2024]

Appendix A: Suggested taking of verdict

Judge to associate:	<i>Take the verdict from the jury.</i>
Associate:	<i>Members of the jury, do you find the defendant guilty or not guilty of [insert offence]?</i>
Speaker:	<i>Not guilty.</i>
Associate to Jury:	<i>So says your speaker, so say you all?</i>
Jury:	<i>Yes.</i>
Associate to Judge:	<i>Not guilty, Your Honour.</i>

Judge:

***You have been found not guilty of the charge.
You are discharged.***