

Example of essay on criminal procedure

[Experience](#), [Belief](#)



The right against self incrimination is an international human right that is guaranteed to an accused. This right is always embodied in the criminal procedure that is adopted by various nations when prosecuting criminal cases. The right against self incrimination includes the right of an accused not to be compelled to testify against himself or to confess his guilt to a crime of which he is being accused of. Every juror must, as compliance to the procedural due process, respect this right accorded to an accused as a basic human right enshrined in the international bill of rights. Thus, a juror cannot compel an accused to testify before his trial. Being a fundamental right guaranteed by international law, a juror, no matter how valuable it is for them to hear the testimony of an accused in his trial, cannot compel him to testify against himself and they are precluded against rendering a judgment adverse to the accused by reason of his failure to render his own testimony. It is a recognized procedure in a criminal trial that the prosecution has the burden of proof to prove the guilt of an accused and must not rely upon the weakness of the defendant in prosecuting a criminal case. The burden is upon the prosecution to convince the juror on the weight of their charges and for the jurors to render judgment according to the evidence presented by the prosecution during the trial.

It is a common law concept that one of the jurors should be comprised of one's peers instead of requiring a paid, professional jurors mainly because an ordinary person is more capable to exercise judgment according to the view of the people and God and not merely by the government or exclusively by those with the legal mind who might be too concerned about implementing the provisions of the law without regard to the moral aspect of

the case. Moreover, the greatest problem with professional jurors would be the possibility of having biased jurors who are paid under the payroll of the state and will likely decide in favor of the state. Paid, professional jurors are employees of the government and the law anticipates the possibility of prejudicing the rights of the accused when those who sit as jurors is reliant and dependent upon their salary provided by the government. Thus, the law seeks to provide security to the right of the accused for a fair trial by requiring unbiased and impartial jurors who can independently render decision during each trial of a criminal case, such as ordinary citizens randomly selected to sit on a trial as a juror.