

STATUTORY INSTRUMENTS

1996 No. 1141 (N.I. 6)

The Juries (Northern Ireland) Order 1996

24th April 1996

F1

F1 Order: functions transferred from Lord Chancellor to Department of Justice (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(1), [Sch. 17 para. 45](#) (with arts. 15(6), 28-31); S.I. 2010/977, [art. 1\(2\)](#)

Introductory

Title and commencement

1. This Order may be cited as the Juries (Northern Ireland) Order 1996 and shall come into operation on such day or days as the Lord Chancellor may by order appoint^{F2}.

F2 fully exercised by SR 1996/267

Interpretation

2.—(1) Subject to paragraph (4), the Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

[^{F3}“anonymous entry” has the same meaning as in the Representation of the People Act 1983 (see section 202(1) of that Act);]

“Chief Electoral Officer” has the meaning assigned to it by section 130(1) of the Electoral Law Act (Northern Ireland) 1962;

[^{F4}“division” means an administrative court division specified under section 2(2)(a) of the Justice Act (Northern Ireland) Act 2015 for all purposes of a county court or, if different administrative court divisions are specified for different purposes of a county court, an administrative court division specified under section 2(2)(c) of that Act for the residual purposes of the court;]

“the Divisional Jurors List” has the meaning given by Article 4(6) ;

“elector” means a local elector as defined in the Electoral Law Act (Northern Ireland) 1962;

“fixed”, in relation to a fee, means fixed in accordance with section 116(1) of the Judicature (Northern Ireland) Act 1978;

[^{F5}“Juries Officer”, in relation to a division, means such officer of the Department as may be designated by the Department in relation to that division;]

“the Jurors List” has the meaning given by Article 4(9);

“jury service” means service on any jury for the trial of any issue, civil or criminal, joined in and triable by any court in Northern Ireland in which such issues are required to be tried by a jury and on any inquiry to be taken or made by or before any master in the [^{F6}Court of Judicature] and references to “juror” and “jury” shall be construed accordingly;

“officer of the court” means a [^{F7} person designated as a chief clerk under Article 2(2) of the County Courts (Northern Ireland) Order 1980 or another civil servant in the Department of Justice whose work relates to the administration of the courts];

“prescribed” means prescribed by regulations made by the Lord Chancellor under Article 30;

“register of electors” means the last published copy of the register referred to in section 9(1) (b) of the Representation of the People Act 1983 (register of local electors);

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“talesman” means any juror selected under Article 18.

(3) For the purposes of this Order a person is between two particular ages if he has attained the first but not the second.

(4) For the purposes of this Order section 24 of the Interpretation Act (Northern Ireland) 1954 (service of documents) shall have effect with the omission of the word “registering” in subsection (1).

- F3** Words in art. 2(2) inserted (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **11(2)**
- F4** Words in art. 2(2) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), [Sch. 1 para. 108\(1\)\(a\)](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k) (with art. 3)
- F5** Words in art. 2(2) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), [Sch. 1 para. 108\(1\)\(b\)](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k) (with art. 3)
- F6** Art. 2(2): words in definition of “jury service” substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59(5), 148(1), [Sch. 11 para. 6](#); S.I. 2009/1604, **art. 2(d)**
- F7** Art. 2(2): words in definition of “officer of the court” substituted (12.4.2010) by [Northern Ireland Court Service \(Abolition and Transfer of Functions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/133\)](#), art. 4, [Sch. para.16\(2\)\(b\)](#) (with arts. 5-7)

Qualification for jury service

Qualification for jury service

3.—(1) Subject to paragraphs (2) to (4), every person who is [^{F8}aged over 18 years] and is registered as an elector is qualified and liable for jury service.

(2) The persons described in Schedule 1 are disqualified for jury service.

(3) The persons described in Schedule 2 are ineligible for jury service.

(4) A person who is on bail in connection with an offence shall not be qualified for jury service in the Crown Court.

(5) A person who—

- (a) knowingly serves as a juror when he is disqualified for jury service; or
- (b) knowingly serves as a juror in the Crown Court when he is not qualified for jury service as mentioned in paragraph (4),

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

F8 Words in [art. 3\(1\)](#) substituted (1.7.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), [ss. 77, 106\(2\)](#); [S.R. 2016/247](#), [art. 2\(a\)](#)

Preparation of Jurors Lists

Preparation of Jurors Lists

4.—(1) In each year, on any day within the period of 14 days immediately preceding^[F9] 15th December] in that year, the Chief Electoral Officer shall arrange for the selection by computer, in accordance with paragraph (2), from the register of electors a sufficient number of jurors for the purpose of empanelling such juries as may from time to time be required.

(2) In each year, for the purpose of selecting the required number of jurors from the register of electors, the computer shall be programmed—

(a) to select every xth elector (where x is a number fixed by the Chief Electoral Officer having regard to the required number of jurors); and

(b) not to select those electors—

^{F10}(i)

(ii) who have been selected in the preceding y years (where y is a number fixed by the Chief Electoral Officer, having regard to the required number of jurors).

(3) The Chief Electoral Officer shall arrange to be sent to the Juries Officer for each division a list of those persons selected who reside in the division and the Juries Officer shall serve the prescribed notice and the prescribed form of return on every person ^{F11}. . . included in the list.

^[F12](3A) The list referred to in paragraph (3) shall include the following information in respect of each person included in it—

(a) the person's full name;

(b) the person's address;

(c) the person's date of birth; and

(d) the person's national insurance number or a statement that he does not have one.]

^[F13](3B) The list referred to in paragraph (3) shall identify any person who has an anonymous entry in the register of electors.]

(4) The notice served under paragraph (3) shall—

(a) state the effect of Articles 3, 10 and 25 and Schedules 1, 2 and 3; and

(b) require the person on whom it is served to fill up the form of return in the prescribed manner and return the form within 14 days to the Juries Officer for the division in which that person resides.

(5) The Juries Officer, after considering the returns made under paragraph (4)(b) and such other matters as he thinks appropriate, shall revise the list referred to in paragraph (3).

(6) The list referred to in paragraph (3) as revised by the Juries Officer shall be and be known as “the Divisional Jurors List” ^{F14}. . . .

(7) The Divisional Jurors List shall contain the ^[F15]following information in respect] of each juror in that division qualified and liable for jury service in that year.

^[F16](a) the person's full name;

- (b) the person's address;
- (c) the person's date of birth;
- (d) the person's national insurance number or a statement that he does not have one; and
- (e) subject to paragraph (10)(b), the person's occupation.]

[^{F17}(7A) The Divisional Jurors list shall identify any person who has an anonymous entry in the register of electors.]

(8) The Divisional Jurors List shall contain such other particulars and be arranged in such form (including division into Parts ^{F18}...) as may be prescribed.

(9) The several Divisional Jurors Lists shall collectively form the Jurors List for Northern Ireland (to be known as “the Jurors List”).

(10) Regulations under Article 30 may amend this Article as to—

- [^{F19}(a) the day and period mentioned in paragraph (1), and]
- (b) the requirement in paragraph (7) for the Divisional Jurors List to contain the occupation of each juror,

and may prescribe any other particulars which the Divisional Jurors List shall contain and the form of that List (including its division into Parts ^{F20}...).

(11) In this Article—

“computer” means any device for storing and processing information; and

“year” means calendar year.

F9 SR 2003/474

F10 Art. 4(2)(b)(i) repealed (1.7.2016) by Justice Act (Northern Ireland) 2015 (c. 9), ss. 78, 106(2), **Sch. 9 Pt. 5**; S.R. 2016/247, art. 2(b)

F11 Words in art. 4(3) repealed (1.8.2007) by Justice and Security (Northern Ireland) Act 2007 (c. 6), ss. 11(2), 50, 53(4)(5), **Sch. 7**; S.I. 2007/2045, art. 2(2)

F12 Art. 4(3A) inserted (1.8.2007) by Justice and Security (Northern Ireland) Act 2007 (c. 6), ss. 11(3), 53(4); S.I. 2007/2045, art. 2(2)

F13 Art. 4(3B) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 11(3)(a)

F14 Words in art. 4(6) repealed (1.8.2007) by Justice and Security (Northern Ireland) Act 2007 (c. 6), ss. 10(2), 50, 53(4)(5), Sch. 2 para. 2(1)(a), **Sch. 7**; S.I. 2007/2045, art. 2(2)

F15 Words in art. 4(7) substituted (1.8.2007) by Justice and Security (Northern Ireland) Act 2007 (c. 6), ss. 11(4)(a), 53(4); S.I. 2007/2045, art. 2(2)

F16 Art. 4(7)(a)-(e) inserted (1.8.2007) by Justice and Security (Northern Ireland) Act 2007 (c. 6), ss. 11(4)(b), 53(4); S.I. 2007/2045, art. 2(2)

F17 Art. 4(7A) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 11(3)(b)

F18 Words in art. 4(8) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 108(2)(a), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

F19 Art. 4(10)(a) substituted (1.8.2007) by Justice and Security (Northern Ireland) Act 2007 (c. 6), ss. 10(2), 53(4), **Sch. 2 para. 2(1)(b)**; S.I. 2007/2045, art. 2(2)

F20 Words in art. 4(10) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 108(2)(b), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Empanelling of jurors

Selection of names

5.—(1) Where a court is to be held before which jurors may be required, the Juries Officer shall select a sufficient number of names from the Jurors List and prepare a panel of those names.

(2) A person's name shall not be included in the panel unless his name appears in the Jurors List for the current year, but if there is no Jurors List in existence for the current year, jurors may be selected from the Jurors List for the next preceding year.

(3) Subject to paragraph (4), there shall be no restriction on the places in Northern Ireland at which a juror may be required to attend for jury service.

(4) In preparing a panel of jurors to be summoned to attend for jury service at a particular court or place—

- (a) the Juries Officer shall, in the first instance, take the names of the jurors in numerical order from the Divisional Jurors List for the division in which that court or place is situated;
- (b) if, taking names in accordance with sub-paragraph (a), the Juries Officer exhausts the Divisional Jurors List for the division in which that court or place is situated, he shall select such other jurors as may be required in numerical order from any one or more of the other Divisional Jurors Lists, but in so doing he shall have regard to the convenience of the persons to be summoned and to their respective places of residence, and in particular to the desirability of selecting, so far as is reasonably practicable, jurors who reside within convenient daily travelling distance of that place.

(5) If the place of trial of a person on indictment is not situated within a relevant division the Crown Court may direct the Juries Officer to prepare a panel of jurors under paragraph (4) for the purposes of that trial as if references to the Divisional Jurors List for the division in which that court or place is situated were references to the Divisional Jurors List for a relevant division.

(6) In paragraph (5) “relevant division” means—

- ^{F21}(a) a division in which the relevant magistrates' court sat;
- (b) in a case where the indictment falls within paragraph (c), (d), (e) or (f) of section 2(2) of the Grand Jury (Abolition) Act (Northern Ireland) 1969, a division in which an offence charged in the indictment was committed.

(7) In paragraph (6)(a) “relevant magistrates' court” means a magistrates' court—

- (a) which committed that person for trial; or
- (b) which received a notice of transfer within the meaning of Article 3(1)(c) of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (transfer of serious fraud cases to Crown Court) or Article 4(1) of the Children's Evidence (Northern Ireland) Order 1995 (certain cases involving children).

F21 Art. 5(6)(a) substituted (31.10.2016) by virtue of [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 108\(3\)](#) (with [Sch. 8 para. 1](#)); [S.R. 2016/387, art. 2\(k\)](#) (with [art. 3](#))

Form of panel

6.—(1) The panel shall contain the full names of the persons selected ^{F22}. . . , arranged [^{F23}(and assigned numbers)] in the order in which the names are selected from the Jurors List.

^{F24}(1A) The panel shall include the following information in respect of each of the persons selected—