
STATUTORY INSTRUMENTS

1996 No. 1141

The Juries (Northern Ireland) Order 1996

Additional powers of the court

Selection of additional jurors

18.—(1) If, by reason of the non-attendance of jurors or of any challenge, there are insufficient jurors to form a jury, the court shall direct the Juries Officer to nominate, as often as necessary, twelve (in the case of the Crown Court) or seven (in the case of the High Court) other persons who are present or otherwise available to serve on the jury.

(2) From the persons nominated in accordance with paragraph (1) there shall be selected by ballot and added to the jurors summoned in accordance with Article 8 a sufficient number of persons to make up a jury.

(3) Nothing in this Article shall prejudice the right of the Crown or any person to challenge the jurors selected under this Article.

(4) The court shall proceed to the trial of the issue with the jurors summoned under Article 8, together with the talesmen, as if all the jurors had been summoned in accordance with that Article.

Views

19. Rules of court and Crown Court rules may make provision as respects views by jurors.

Separation and detention of jurors

20.—(1) In the course of a criminal trial the judge may at any time (whether before or after the jury has been directed to consider its verdict) permit the jury to separate.

(2) In the course of the trial in the High Court of any action or issue therein the jury may in the discretion of the judge be detained during an adjournment of the court (other than an adjournment at the termination of proceedings for the day).

Continuance of criminal trial on death or discharge of juror

21.—(1) Where in the course of a criminal trial any member of the jury dies or is discharged by the court as being incapable of continuing to act through illness or for any other cause, but the number of its members is not reduced below nine, the jury shall nevertheless, subject to paragraphs (2) and (3), be considered as remaining for all the purposes of that trial properly constituted, and the trial shall proceed and a verdict may be given accordingly.

(2) On a trial for any offence punishable with death paragraph (1) shall not apply on the death or discharge of any member of the jury unless assent to its then applying is given in writing by or on behalf of both the prosecution and the accused or each of the accused.

(3) Notwithstanding paragraph (1), on the death or discharge of a member of the jury in the course of a criminal trial the judge may discharge the jury in any case where the judge sees fit to do so.

Discharge in civil proceedings

22.—(1) The judge may at his discretion at any stage in the course of the trial in the High Court of any action or any issue therein discharge the jury or any member or members thereof.

(2) Where in the course of such a trial the jury is discharged, the trial may with the consent of the parties be continued without a jury.

(3) Where in the course of such a trial any member of the jury dies or is discharged by reason of illness or any other cause, the jury shall at the discretion of the judge, so long as the number of its members is not reduced below six, and may with the consent of the parties so long as the number of its members is not reduced below four, be considered as remaining for all purposes properly constituted.

Refreshment of jurors

23. Jurors, after having been sworn, may, in the discretion of the judge, be provided, free of charge, with reasonable refreshment (including meals) at any time before giving their verdict.

Excusing of jurors from jury service at end of exceptionally exacting trial

24. At the conclusion of a trial of an exceptionally exacting nature, the judge may direct that the members of the jury be excused from further jury service for such period as he thinks fit.