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## SCHEDULES

### SCHEDULE 13

#### JURIES AT INQUESTS

##### *Offence relating to jury's deliberations*

- 6 In Schedule 6 to the Coroners and Justice Act 2009 (offences relating to inquests), after Part 1 insert—

#### “PART 1A

##### OFFENCE RELATING TO JURY'S DELIBERATIONS

#### **Offence**

- 5D (1) It is an offence for a person intentionally—
- (a) to disclose information about statements made, opinions expressed, arguments advanced or votes cast by members of a jury in the course of their deliberations in proceedings at an inquest, or
  - (b) to solicit or obtain such information,
- subject to the exceptions in paragraphs 5E to 5G.
- (2) A person guilty of an offence under this paragraph is liable, on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
- (3) Proceedings for an offence under this paragraph may not be instituted except by or with the consent of the Attorney General.

#### **Initial exceptions**

- 5E (1) It is not an offence under paragraph 5D for a person to disclose information in the inquest mentioned in paragraph 5D(1) for the purposes of enabling the jury to make findings or a determination or in connection with the delivery of findings or a determination.
- (2) It is not an offence under paragraph 5D for the senior coroner dealing with that inquest to disclose information—
- (a) for the purposes of dealing with the inquest, or
  - (b) for the purposes of an investigation by a relevant investigator into whether an offence or contempt of court has been committed by or in relation to a juror in the inquest.

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- (3) It is not an offence under paragraph 5D for a person who reasonably believes that a disclosure described in sub-paragraph (2)(b) has been made to disclose information for the purposes of the investigation.
- (4) It is not an offence under paragraph 5D to publish information disclosed as described in sub-paragraph (1) or (2)(a) in the inquest mentioned in paragraph 5D(1).
- (5) In this paragraph—
  - “publish” means make available to the public or a section of the public;
  - “relevant investigator” means—
    - (a) a police force;
    - (b) the Attorney General;
    - (c) any other person or class of person specified by the Lord Chancellor for the purposes of this paragraph by regulations.
- (6) The Lord Chancellor must obtain the consent of the Lord Chief Justice before making regulations under this paragraph.

#### Further exceptions

- 5F (1) It is not an offence under paragraph 5D for a person to disclose information to a person listed in sub-paragraph (2) if—
  - (a) the disclosure is made after the jury at the inquest mentioned in paragraph 5D(1) has been discharged, and
  - (b) the person making the disclosure reasonably believes that—
    - (i) an offence or contempt of court has been, or may have been, committed by or in relation to a juror in connection with that inquest, or
    - (ii) conduct of a juror in connection with that inquest may provide grounds for an application under section 13(1)(b) of the Coroners Act 1988.
- (2) Those persons are—
  - (a) a member of a police force;
  - (b) the Attorney General's Office;
  - (c) a judge of the High Court;
  - (d) the Chief Coroner;
  - (e) the senior coroner who dealt with the inquest mentioned in paragraph 5D(1);
  - (f) a coroner's officer or a member of staff assisting a senior coroner who would reasonably be expected to disclose the information only to a person mentioned in paragraphs (b) to (e).
- (3) It is not an offence under paragraph 5D for a member of a police force to disclose information for the purposes of obtaining assistance in deciding whether to submit the information to a person listed in sub-paragraph (2), provided that the disclosure does not involve publishing the information.

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- (4) It is not an offence under paragraph 5D for the Attorney General's Office or a judge of the High Court to disclose information for the purposes of an investigation by a relevant investigator into—
  - (a) whether an offence or contempt of court has been committed by or in relation to a juror in connection with the inquest mentioned in paragraph 5D(1), or
  - (b) whether conduct of a juror in connection with that inquest may provide grounds for an application under section 13(1)(b) of the Coroners Act 1988.
- (5) It is not an offence under paragraph 5D for a person who reasonably believes that a disclosure described in sub-paragraph (4) has been made to disclose information for the purposes of the investigation.
- (6) It is not an offence under paragraph 5D for a person to disclose information in evidence in—
  - (a) proceedings for an offence or contempt of court alleged to have been committed by or in relation to a juror in connection with the inquest mentioned in paragraph 5D(1),
  - (b) proceedings on an application to the High Court under section 13(1)(b) of the Coroners Act 1988 in connection with the inquest mentioned in paragraph 5D(1) where an allegation relating to conduct of or in relation to a juror forms part of the grounds for the application, or
  - (c) proceedings on any further appeal, reference or investigation arising out of proceedings mentioned in paragraph (a) or (b).
- (7) It is not an offence under paragraph 5D for a person to disclose information in the course of taking reasonable steps to prepare for proceedings described in sub-paragraph (6)(a) to (c).
- (8) It is not an offence under paragraph 5D to publish information disclosed as described in sub-paragraph (6).
- (9) In this paragraph—
  - “the Attorney General's Office” means the Attorney General, the Solicitor General or a member of staff of the Attorney General's Office;
  - “publish” means make available to the public or a section of the public;
  - “relevant investigator” means—
    - (a) a police force;
    - (b) the Attorney General;
    - (c) the Criminal Cases Review Commission;
    - (d) the Crown Prosecution Service;
    - (e) a senior coroner, area coroner or assistant coroner;
    - (f) any other person or class of person specified by the Lord Chancellor for the purposes of this paragraph by regulations.
- (10) The Lord Chancellor must obtain the consent of the Lord Chief Justice before making regulations under this paragraph.

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### Exceptions for soliciting disclosures or obtaining information

- 5G (1) It is not an offence under paragraph 5D to solicit a disclosure described in paragraph 5E(1) to (4) or paragraph 5F(1) to (8).
- (2) It is not an offence under paragraph 5D to obtain information—
- (a) by means of a disclosure described in paragraph 5E(1) to (4) or paragraph 5F(1) to (8), or
  - (b) from a document that is available to the public or a section of the public.”

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#### Commencement Information

- II** Sch. 13 para. 6 in force at 13.4.2015 by [S.I. 2015/778](#), [art. 3](#), [Sch. 1 para. 79](#) (with [Sch. 2 para. 4\(b\)](#))

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