



Courts Reform (Scotland) Act 2014

2014 asp 18

PART 3

CIVIL PROCEDURE

CHAPTER 1

SHERIFF COURT

Civil jury trials

66 Discharge or death of juror during trial

- (1) In jury proceedings, the sheriff may, in the course of the trial, discharge a member of the jury from further service on the jury if satisfied that the juror—
 - (a) is, by reason of illness, unable to continue to serve on the jury, or
 - (b) should, for any other reason, be discharged from further service on the jury.
- (2) Subsections (3) and (4) apply where a member of the jury—
 - (a) is discharged under subsection (1), or
 - (b) dies.
- (3) So long as there remain at least 10 members of the jury—
 - (a) the remaining members of the jury are in all respects deemed to constitute the jury for the purpose of the trial, and
 - (b) any verdict returned by the remaining members of the jury, whether unanimous or by majority, is to have the same force and effect as if it were a unanimous or, as the case may be, majority verdict of the whole number of the jury.
- (4) If there remain fewer than 10 members of the jury, the sheriff must—
 - (a) discharge the jury, and
 - (b) order the proceedings to be tried by another jury.