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STATUTORY INSTRUMENTS

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**1996 No. 1141**

**The Juries (Northern Ireland) Order 1996**

*Challenges*

**Challenge to the panel**

13. No challenge to the panel shall be allowed for any cause except partiality, fraud or wilful misconduct of the Juries Officer.

**Challenges in civil cases**

14.—(1) Where an action or issue therein is to be tried in the High Court with a jury, any challenge to the panel or to any jurors for cause shall be tried by the judge.

(2) In the High Court the plaintiff and the defendant may respectively challenge not more than six jurors without cause.

(3) If there is more than one plaintiff or defendant, the total number of challenges without cause by the plaintiffs on the one hand or by the defendants on the other shall not exceed six.

**Challenges in criminal cases**

15.—(1) A person arraigned on indictment may challenge—

- (a) not more than twelve jurors without cause; and
- (b) any juror or jurors for cause.

(2) The prosecution shall challenge only for cause.

(3) Any challenge to jurors for cause shall be tried by the judge before whom the accused is to be tried.

(4) The judge may at the request of the Crown, but not of a private prosecutor, order any juror to stand by until the panel has been gone through.

**Challenge for name not being on Jurors List**

16.—(1) Subject to Article 5(2) and without prejudice to any other right of challenge, the fact that the name of any person empanelled as a juror is not on the Jurors List or that such a person was empanelled contrary to Article 5 shall be a good cause of challenge to that person,

(2) If the court is satisfied upon production of the Jurors List or by such other evidence as the court deems sufficient that a person empanelled as a juror—

- (a) is not named in the Jurors List, or
- (b) was empanelled contrary to Article 5,

the court shall discharge him.

(3) The onus of proving that a person ought to be discharged shall lie upon the person challenging him.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(4) If any person whose name is not contained in the Jurors List is empanelled and sworn as a juror without objection, the trial shall not be interrupted or deemed a mistrial on account of the service of that juror.

**Restrictions on right of challenge**

17.—(1) Subject to Article 16, want of qualification shall not be a cause of challenge to any person whose name is on the Jurors List.

(2) No challenge shall be taken to any juror on the ground that he was not duly summoned.

(3) For the purposes of any proceedings to be had before a jury, the Jurors List from which the jurors have been empanelled shall be conclusively presumed to have been prepared in accordance with this Order.