



Criminal Justice (Scotland) Act 1995

1995 CHAPTER 20

PART I

THE COURSE OF JUSTICE

Juries

6 Lists of potential jurors

In section 3 of the Jurors (Scotland) Act 1825 (sheriff principal to maintain lists of potential jurors)—

- (a) the existing provision shall become subsection (1);
- (b) in that subsection, for the word “designations” there shall be substituted “addresses”; and
- (c) after that subsection there shall be inserted the following subsections—

“(2) For the purpose of maintaining lists of potential jurors under subsection (1) above, a sheriff principal may require any person in the sheriff court district in question who appears to him to be qualified and liable to serve as a juror to provide such information, and in such form, as the Secretary of State may by order prescribe.

(3) A statutory instrument containing an order by virtue of subsection (2) above shall be subject to annulment pursuant to a resolution of either House of Parliament.

(4) Any person who fails to comply with a requirement under subsection (2) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 1 on the standard scale.

(5) In proceedings against a person for an offence under subsection (4) above it is a defence to prove that he had reasonable excuse for the failure.”.

7 Jury service

- (1) After subsection (5) of section 1 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (persons excused from jury service for good reason) there shall be inserted the following subsection—

“(5A) Where the clerk of court has, under subsection (5) above, excused a person from jury service in any criminal proceedings he shall, unless he considers there to be exceptional circumstances which make it inappropriate to do so, within one year of the date of that excusal cite that person to attend for jury service in criminal proceedings.”.

- (2) In Schedule 1 to that Act (ineligibility for and disqualification and excusal from jury service)—

- (a) in Part II (persons disqualified from jury service), at the end of paragraph (b) there shall be inserted—

“(c) in respect of jury service in any criminal proceedings, persons who are on bail in or in connection with criminal proceedings in any part of the United Kingdom.”; and

- (b) in Part III (persons excusable as of right), at the end of Group D there shall be inserted—

“GROUP DD

Members of certain religious bodies

In respect of jury service in any criminal proceedings, practising members of religious societies or orders the tenets or beliefs of which are incompatible with jury service.”.

8 Challenges to jurors

In section 130 of the 1975 Act (challenges and objections to jurors)—

- (a) subsections (1) to (3) shall cease to have effect; and
(b) after subsection (3) there shall be inserted—

“(3A) Where, before a juror is sworn to serve, the parties jointly apply for him to be excused the court shall, notwithstanding that no reason is given in the application, excuse that juror from service.”.