



# Justice and Security (Northern Ireland) Act 2007

## 2007 CHAPTER 6

### *Juries*

#### **10 Restrictions on disclosure of juror information**

- (1) After Article 26 of the Juries (Northern Ireland) Order 1996 (S.I. 1996/1141 (N.I. 6)) insert—

##### **“26A Restriction on disclosure of juror information**

- (1) A person to whom any of paragraphs (2) to (7) applies must not disclose juror information (see Article 26C) except with lawful authority (see Article 26B).
- (2) This paragraph applies to a person—
- (a) who is or has been an electoral officer or a court official (see Article 26C); and
  - (b) who obtained the juror information in the course of his functions as an electoral officer or court official.
- (3) This paragraph applies to a person—
- (a) who is or has been a person providing services to the Northern Ireland Court Service or the employee of such a person; and
  - (b) who obtained the juror information for or in connection with the provision of services to the Court Service.
- (4) This paragraph applies to a person—
- (a) who is or has been a member of the police service (see Article 26C); and
  - (b) who obtained the juror information for or in connection with the making of checks, in accordance with jury check guidelines (see Article 26C), on the person to whom the information relates.

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*Changes to legislation: There are currently no known outstanding effects for the Justice and Security (Northern Ireland) Act 2007, Section 10. (See end of Document for details)*

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- (5) This paragraph applies to any person, other than a court official or a member of the police service, to whom the juror information was disclosed in accordance with jury check guidelines.
- (6) This paragraph applies to a person—
- (a) who is or has been a juror or summoned as a juror; and
  - (b) who obtained the juror information as a result of having been a juror or summoned as a juror;
- but this paragraph does not apply to a person in so far as the juror information is information about himself.
- (7) This paragraph applies to a person who knows, or ought reasonably to have known, that the juror information had previously been disclosed in contravention of paragraph (1).
- (8) A person who contravenes paragraph (1) shall be guilty of an offence and shall be liable—
- (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.
- (9) It shall be a defence for a person charged with an offence under this Article to prove that he reasonably believed that the disclosure by him was lawful.

## **26B Disclosure of juror information: lawful authority**

- (1) For the purposes of Article 26A, juror information is disclosed with lawful authority if any of paragraphs (2) to (9) applies to the disclosure.
- (2) This paragraph applies to a disclosure by an electoral officer—
- (a) to another electoral officer; or
  - (b) in accordance with Article 4.
- (3) This paragraph applies to a disclosure by a court official—
- (a) to another court official;
  - (b) to the judge of any court; or
  - (c) to a juror or a person summoned as a juror.
- (4) This paragraph applies to a disclosure—
- (a) to a person providing services to the Northern Ireland Court Service; or
  - (b) to the employee of such a person,
- for or in connection with the provision of services to the Court Service.
- (5) This paragraph applies to a disclosure—
- (a) by a person providing services to the Northern Ireland Court Service; or
  - (b) by the employee of such a person,
- if the disclosure is required or authorised to be made by an officer of the court (see Article 2(2)) for or in connection with the provision of services to the Court Service.

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- (6) This paragraph applies to a disclosure—
  - (a) by an officer of the court to a member of the police service;
  - (b) by a member of the police service to another member of the police service; or
  - (c) by a member of the police service to an officer of the court, for or in connection with the making of checks, in accordance with jury check guidelines, on the person to whom the juror information relates.
- (7) This paragraph applies to a disclosure to a person other than a member of the police service or an officer of the court if the juror information is disclosed in accordance with jury check guidelines.
- (8) This paragraph applies to a disclosure for the purposes of criminal proceedings (but not for the purposes of any proceedings in relation to which the person to whom the juror information relates may be, is, or has been, a juror).
- (9) This paragraph applies to a disclosure made with leave of a court.

#### **26C Interpretation of Articles 26A and 26B**

- (1) This Article applies for the purposes of Articles 26A and 26B.
  - (2) “Court official” means—
    - (a) an officer of the court (see Article 2(2)); or
    - (b) a court security officer.
  - (3) “Electoral officer” means—
    - (a) the Chief Electoral Officer for Northern Ireland; or
    - (b) a person to whom any of his functions are delegated under section 14A(2) of the Electoral Law Act (Northern Ireland) 1962 or Article 9(2) of the Electoral Law (Northern Ireland) Order 1972.
  - (4) “Juror information” means information which identifies (or from which it is possible to identify) a particular person as being or as having been—
    - (a) a juror;
    - (b) listed on any Divisional Jurors List or on any panel prepared under Article 5; or
    - (c) selected for inclusion on any such List under Article 4(1) and (2).
  - (5) “Jury check guidelines” means guidelines issued by the Attorney General relating to the making of additional checks on jurors and the exercise by the Crown of its right under Article 15(4).
  - (6) “Member of the police service” means—
    - (a) a member of the Police Service of Northern Ireland;
    - (b) a member of the Police Service of Northern Ireland Reserve;
    - (c) a member of the police support staff (within the meaning of the Police (Northern Ireland) Act 2000).”
- (2) Schedule 2 (restrictions on disclosure of juror information: further amendments) shall have effect.
- (3) Subsection (1) does not have effect in relation to—

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- (a) any information which identifies (or from which it is possible to identify) a particular person as having been a juror before the date on which that subsection comes into force, or
- (b) any information made available for inspection under Article 4 or 7 of the Juries (Northern Ireland) Order 1996 (S.I. 1996/1141 (N.I. 6)) before that date.

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