



Criminal Justice Act 1972

1972 CHAPTER 71

PART II

JURY SERVICE

25 Qualification for jury service

- (1) Subject to the following provisions, every person shall be qualified to serve as a juror and be liable accordingly to attend for jury service when summoned under Part V of the Act of 1971, if—
 - (a) he is for the time being registered as a parliamentary or local government elector and is not less than eighteen nor more than sixty-five years of age ; and
 - (b) he has been ordinarily resident in the United Kingdom, the Channel Islands or the Isle of Man for any period of at least five years since attaining the age of thirteen,but not if he is for the time being ineligible or disqualified for jury service; and the persons who are ineligible, and those who are disqualified, are those respectively listed in Parts I and II of Schedule 2 to this Act.
- (2) A person summoned for jury service shall be entitled, if he so wishes, to be excused from jury service if he is among the persons listed in Part III of Schedule 2 to this Act, but (except as provided by that Part of the Schedule in the case of members of the Forces and others) a person shall not by this subsection be exempt from his obligation to attend if summoned, where the summons has not been withdrawn under section 31(6) of the Act of 1971 and he has not under section 34(2) of that Act been excused from attending.
- (3) A written summons sent to any person under Part V of the Act of 1971 shall be accompanied by a notice informing him—
 - (a) of the effect of subsections (1), (2), (4) and (5) of this section; and
 - (b) that he may make representations to the appropriate officer with a view to obtaining the withdrawal of the summons, if for any reason he is not qualified for jury service, or wishes or is entitled to be excused;

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and where a person attends in pursuance of such a summons or of a summons under section 33 of the Act of 1971 (summoning without notice in exceptional circumstances), the appropriate officer may put or cause to be put to him such questions as the officer thinks fit in order to establish whether or not the person is qualified for jury service.

- (4) Where it appears to the appropriate officer, in the case of a person attending in pursuance of a summons for jury service, that on account of physical disability or insufficient understanding of English there is doubt as to his capacity to act effectively as a juror, the person may be brought before the judge, who shall determine whether or not he should act as a juror and, if not, shall discharge the summons; and for this purpose "the judge" means any judge of the High Court or any Circuit judge or Recorder.
- (5) If any person—
- (a) having been summoned for jury service makes, or causes or permits to be made on his behalf, any false representation to the appropriate officer with the intention of evading jury service; or
 - (b) makes or causes to be made on behalf of another person who has been so summoned any false representation to that officer with the intention of enabling the other to evade jury service; or
 - (c) when any question is put to him in pursuance of subsection (3) above, refuses without reasonable excuse to answer, or gives an answer which he knows to be false in a material particular, or recklessly gives an answer which is false in a material particular; or
 - (d) knowing that he is ineligible for jury service under Group A, B or C in Part I of Schedule 2 to this Act, or disqualified under Part II of that Schedule, serves on a jury,
- he shall be liable on summary conviction to a fine of not more than £400 in the case of an offence of serving on a jury when disqualified and, in any other case, a fine of not more than £100.
- (6) The fact that a person summoned to serve on a jury is not qualified to serve shall be a ground of challenge for cause; but subject to this nothing in this section affects the law relating to challenge of jurors.
- (7) In this section " the Act of 1971 " means the Courts Act 1971; and that Act and the foregoing provisions of this section shall be construed and have effect as if this section were contained in Part V of that Act.
- (8) Any enactment included among those repealed by this Act which would otherwise have any effect in relation to coroners' juries, or a person's qualification or liability to serve on such a jury, shall cease to have that effect.

26 Electoral register as basis of juror selection

- (1) In Schedule (4) to the Representation of the People Act 1949 (provisions which may be contained in regulations as to registration) the following paragraph shall be inserted after paragraph 2:—
- “2A Provisions imposing on registration officers the duty of requiring persons to give information required for the purpose of the officer's duty under section 26 of the Criminal Justice Act 1972 and in paragraph 12(1) of that Schedule (power to make breaches of regulations punishable on summary

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conviction), after the words " paragraph 2 " there shall be inserted the words " or 2A ";

- (2) Every electoral registration officer under the said Act of 1949 shall as soon as practicable after the publication of any register of electors for his area deliver to such officer as the Lord Chancellor may designate such number of copies of the register as the Lord Chancellor's officer may require for the purpose of summoning jurors, and on each copy there shall be indicated those persons on the register whom the registration officer has ascertained to be, or to have been on a date also indicated on the copy, less than eighteen or more than sixty-five years of age.
- (3) The reference in subsection (2) of this section to a register of electors does not include a ward list within the meaning of section 4(1) of the City of London (Various Powers) Act 1957.

27 Payments in respect of jury service

In section 1 of the Juries Act 1949 (payments in respect of jury service), the following shall be substituted for subsection (1)—

- “(1) Subject to the provisions of this Act, a person who serves as a juror shall be entitled, in respect of his attendance at court for the purpose of performing jury service, to receive payments, at the prescribed rates and subject to any prescribed conditions, by way of allowance—
- (a) for travelling and subsistence ; and
 - (b) for financial loss, where in consequence of his attendance for that purpose he has incurred any expenditure (otherwise than on travelling and subsistence) to which he would not otherwise be subject or he has suffered any loss of earnings, or of benefit under the enactments relating to national insurance, which he would otherwise have made or received.”