

## **Juries (Amendment) Bill**

### **EXPLANATORY MEMORANDUM**

*Clause 1* sets out the purposes of the Act.

*Clause 2* provides for the commencement of the Act.

*Clause 3* says that the **Juries Act 1967** is called the Principal Act.

*Sub-clause 4 (1)* allows a person wishing to be excused from jury service to simply state the grounds for the request in writing. At present proof on oath or by affidavit or declaration is required.

*Sub-clause 4 (2)* repeals a provision which precludes a claim to be excused as of right from being submitted after the jury questionnaire has been returned.

*Sub-clause 4 (3)* allows a person to be excused from jury service after return of the questionnaire but before being summonsed by reason of illness incapacity or any other matter of special urgency or importance even if the reason on which the person relies did not exist at the date when he or she returned the questionnaire.

*Clause 5* allows a summons to a juror to be served by the Sheriff as well as by a member of the police force.

*Clause 6* reduces the number of peremptory challenges in criminal inquests available to the accused but allows further challenges if the Crown and any co-accused agree. It also replaces the Crown's right to stand jurors aside with provisions giving the Crown the same number of peremptory challenges as the accused.

*Clause 7* provides for majority verdicts in criminal inquests other than a verdict of murder, treason or for a Commonwealth offence.

*Clause 8* provides that compensation is only to be paid to a juror for any day on which he or she is not required to attend court if he or she loses income on that day.

*Sub-clause 8 (2)* provides that an employee is entitled to be reimbursed by an amount equal to the difference between the amount paid by way of jury fees and the amount he or she would have been entitled to receive if he or she had not been summonsed as a juror.

*Clause 9* inserts a new section 51A which empowers a court to allow jurors who have retired to consider their verdict to return home overnight.

*Clause 10* sets out the transitional provisions.

