



Criminal Justice (Scotland) Act 2003

2003 asp 7

PART 12

MISCELLANEOUS AND GENERAL

Miscellaneous

79 Separation of jury after retiral

It shall no longer be mandatory for the period during which a jury, after retiring to consider their verdict, are enclosed to be continuous; and accordingly, in section 99 of the 1995 Act (seclusion of jury to consider verdict)—

- (a) in subsection (1), for the word “after” there is substituted “while”;
- (b) in subsection (2), for the words “until the jury” there is substituted “while the jury are enclosed and until they”;
- (c) in subsection (4)(b), after the word “and” there is inserted “, unless under subsection (7) below the court permits them to separate,”; and
- (d) at the end there is added—

“(7) The court may, if it thinks fit, permit the jury to separate even after they have retired to consider their verdict.”.