

Status: Point in time view as at 31/01/2017.

Changes to legislation: Coroners and Justice Act 2009, Part 1 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

OFFENCES

PART 1

OFFENCES RELATING TO JURORS

[^{F1} Serving while disqualified, failure to attend etc]

Textual Amendments

- F1** Cross-heading inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 13 para. 4](#); [S.I. 2015/778](#), art. 3, [Sch. 1 para. 79](#)

- 1 (1) It is an offence for a person to serve on a jury at an inquest if the person—
- (a) is disqualified from jury service (by reason of being a person listed in Part 2 of Schedule 1 to the [Juries Act 1974 \(c. 23\)](#)), and
 - (b) knows that he or she is disqualified from jury service.
- (2) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Commencement Information

- I1** Sch. 6 para. 1 in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(1\)](#)

- 2 (1) It is an offence for a person—
- (a) to refuse without reasonable excuse to answer any question put under section 8(5),
 - (b) to give an answer to such a question knowing the answer to be false in a material particular, or
 - (c) recklessly to give an answer to such a question that is false in a material particular.
- (2) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Commencement Information

- I2** Sch. 6 para. 2 in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(1\)](#)

- 3 (1) It is an offence for a person who is duly summoned as a juror at an inquest—

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- (a) to make any false representation, or
- (b) to cause or permit to be made any false representation on his or her behalf, with the intention of evading service as a juror at an inquest.

(2) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Commencement Information

I3 Sch. 6 para. 3 in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(I\)](#)

- 4 (1) It is an offence for a person to make or cause to be made, on behalf of a person who has been duly summoned as a juror at an inquest, any false representation with the intention of enabling the other person to evade service as a juror at an inquest.
- (2) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Commencement Information

I4 Sch. 6 para. 4 in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(I\)](#)

- 5 (1) A senior coroner, or (as the case may be) the Coroner for Treasure, may impose a fine not exceeding £1000 on a person duly summoned as a juror at an inquest who—
- (a) fails without reasonable excuse to attend in accordance with the summons, or
 - (b) attends in accordance with the summons but refuses without reasonable excuse to serve as a juror.
- (2) But a fine may not be imposed under this paragraph unless the summons was duly served on the person in question not later than 14 days before the day on which he or she was required to attend.

Commencement Information

I5 Sch. 6 para. 5 in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(I\)](#)

[^{F2}Research by jurors

Textual Amendments

F2 Sch. 6 paras. 5A-5C inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 13 para. 5](#); [S.I. 2015/778](#), [art. 3](#), [Sch. 1 para. 79](#) (with [Sch. 2 para. 3\(b\)](#))

- 5A (1) It is an offence for a member of a jury at an inquest to research the case during the inquest period, subject to the exceptions in sub-paragraphs (6) and (7).
- (2) A person researches a case if (and only if) the person—
- (a) intentionally seeks information, and
 - (b) when doing so, knows or ought reasonably to know that the information is or may be relevant to the inquest.

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- (3) The ways in which a person may seek information include—
 - (a) asking a question,
 - (b) searching an electronic database, including by means of the internet,
 - (c) visiting or inspecting a place or object,
 - (d) conducting an experiment, and
 - (e) asking another person to seek the information.
- (4) Information relevant to the inquest includes information about—
 - (a) a person involved in events relevant to the inquest,
 - (b) the senior coroner dealing with the inquest,
 - (c) any other person who is involved in the inquest, whether as a lawyer, a witness or otherwise,
 - (d) the law relating to the case,
 - (e) the law of evidence, and
 - (f) procedure at inquests.
- (5) “The inquest period”, in relation to a member of a jury at an inquest, is the period—
 - (a) beginning when the person is sworn to inquire into the case, and
 - (b) ending when the senior coroner discharges the jury or, if earlier, when the senior coroner discharges the person.
- (6) It is not an offence under this paragraph for a person to seek information if the person needs the information for a reason which is not connected with the case.
- (7) It is not an offence under this paragraph for a person—
 - (a) to attend proceedings at the inquest;
 - (b) to seek information from the senior coroner dealing with the case;
 - (c) to do anything which the senior coroner dealing with the case directs or authorises the person to do;
 - (d) to seek information from another member of the jury, unless the person knows or ought reasonably to know that the other member of the jury contravened this paragraph in the process of obtaining the information;
 - (e) to do anything else which is reasonably necessary in order for the jury to make a determination or finding in the case.
- (8) A person guilty of an offence under this paragraph is liable, on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
- (9) Proceedings for an offence under this paragraph may only be instituted by or with the consent of the Attorney General.

Sharing research with other jurors

- 5B
- (1) It is an offence for a member of a jury at an inquest intentionally to disclose information to another member of the jury during the inquest period if—
 - (a) the member contravened paragraph 5A in the process of obtaining the information, and
 - (b) the information has not been provided at the inquest.
 - (2) Information has been provided at the inquest if (and only if) it has been provided as part of—

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- (a) evidence presented at the inquest, or
 - (b) other information provided to the jury or a juror during the inquest period by, or with the permission of, the senior coroner dealing with the case.
- (3) A person guilty of an offence under this paragraph is liable, on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
- (4) Proceedings for an offence under this paragraph may not be instituted except by or with the consent of the Attorney General.
- (5) In this paragraph, “the inquest period” has the same meaning as in paragraph 5A.

Jurors engaging in other prohibited conduct

- 5C
- (1) It is an offence for a member of a jury at an inquest intentionally to engage in prohibited conduct during the inquest period, subject to the exceptions in subparagraphs (4) and (5).
 - (2) “Prohibited conduct” means conduct from which it may reasonably be concluded that the person intends to make a determination or finding otherwise than on the basis of the evidence presented at the inquest.
 - (3) An offence under this paragraph is committed whether or not the person knows that the conduct is prohibited conduct.
 - (4) It is not an offence under this paragraph for a member of the jury to research the case (as defined in paragraph 5A(2) to (4)).
 - (5) It is not an offence under this paragraph for a member of the jury to disclose information to another member of the jury.
 - (6) A person guilty of an offence under this paragraph is liable, on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).
 - (7) Proceedings for an offence under this paragraph may not be instituted except by or with the consent of the Attorney General.
 - (8) In this paragraph, “the inquest period” has the same meaning as in paragraph 5A.]

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