

CHAPTER 11.

An Act to amend the law with respect to the preparation of Jurors Books, and otherwise to amend the law relating to Jurors and Juries, in England and Wales. [31st May 1922.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.--(1) After the commencement of this Act, lists of the persons qualified and liable to serve as jurors shall cease to be prepared in accordance with the provisions of the Juries Act, 1825, as amended by any subsequent enactment, and the jurors books shall be prepared in accordance with the following provisions of this section.

Alteration
of method
of preparing
jurors book.

6 Geo. 4.
c. 50.

(2) Subject to the provisions of this section, it shall be the duty of every registration officer within the meaning of the Representation of the People Act, 1918, in making out in pursuance of that Act the electors lists for the autumn register for any year, to mark in the prescribed manner the names of such of the persons included in the lists as are qualified and liable to serve as jurors and the names of such of the persons so qualified and liable as are qualified to serve as special jurors.

7 & 8 Geo. 5.
c. 64.

(3) For the purpose of enabling registration officers to perform their duties under this section, the overseers

of every parish shall, if so required by the registration officer of their area, furnish to him, in the prescribed manner, particulars with respect to the persons in their parish who are, on the last day of the qualifying period for registration in the autumn register, qualified and liable to serve as jurors or qualified to serve as special jurors.

For the purpose of their duties under this subsection, the overseers shall, on an application in that behalf made at any reasonable time to the collector or other officer having the custody of the duplicates of assessment to inhabited house duty for their parish, be entitled to inspect and take extracts from any of those duplicates, and any expenses properly incurred by them under this subsection shall be paid and allowed to them out of the poor rate of the parish.

If any overseer fails to comply with any of the requirements of this subsection, he shall be liable on summary conviction in respect of each offence to a fine not exceeding ten pounds.

(4) If any person who is marked as a juror or as a special juror in any of the electors lists for the autumn register claims that by reason of some disqualification or exemption he ought not to be so marked, he may, at any time within the period within which a claim to be registered as an elector may be made, apply in the prescribed manner to the registration officer to have the mark placed against his name removed.

The registration officer shall, as soon as may be, take every such application into consideration and shall in the prescribed manner notify to the applicant his decision thereon.

(5) If the registration officer refuses to comply with an application made under the last preceding subsection or fails to notify to the applicant within the prescribed time his decision thereon, the applicant may, within fourteen days next after the date on which the refusal of the registration officer is notified to him or the expiration of the prescribed time, as the case may be, apply to a court of summary jurisdiction for a declaration that he ought not to be marked as a juror or as a special juror, as the case may be.

Rules may be made by the Lord Chancellor for regulating the manner in which applications are to be made

under this subsection and for requiring the decision of the court on any such application to be notified to the sheriff of the county and to the registration officer and for authorising the sheriff to make the necessary correction in the jurors book.

(6) Where the claim of any person not to be marked as a juror or as a special juror in any electors lists has been allowed by the registration officer or a court of summary jurisdiction, the registration officer shall, if he proposes to mark that person as a juror or as a special juror in any subsequent electors lists, give to him notice of his intention so to do not less than fourteen days before the publication of the electors lists:

Provided that the foregoing provision shall not apply in relation to the registration officer of a registration area other than the area in which the claim was made, or in any case where the person whose claim was allowed has subsequently changed his place of residence.

(7) The clerk of the council of every county shall in every year, as soon as may be after the latest date for the publication of the autumn register, obtain copies of the registers for all such registration units as are comprised in whole or in part in the county, and shall, not later than the first day of December next following, cause to be made up from such parts of the registers as relate to any part of the county a book containing the names of all the persons who are marked in those parts as jurors, and that book shall be the jurors book for the county for the year beginning the first day of January next following.

(8) The clerk of the county council shall deliver the jurors book, as soon as may be after it has been prepared, to the sheriff of the county, and every sheriff on quitting office shall, within ten days next after the succeeding sheriff enters on his office, deliver to him the jurors book for the current year and all other like books prepared within the four years next preceding and then in his possession.

(9) Every registration officer shall, on demand, supply to the clerk of the county council, free of cost, such number of copies of the autumn register as the clerk may reasonably require for the purposes of this Act.

(10) Any expenses properly incurred by a registration officer in the performance of his duties under this

Act shall, subject as hereinafter provided, be deemed to be expenses incurred by him in the performance of his duties under the Representation of the People Act, 1918, in relation to registration:

Provided that every registration officer shall certify the amount by which the expenses incurred by him in connection with the preparation of the autumn register for the year in which this Act comes into operation have been increased by reason of the provisions of this Act, and for the purpose of computing the amount which under subsection (4) of section fifteen of the Representation of the People Act, 1918 (which provides for the payment out of moneys provided by Parliament of one half of the amount paid by the council of a county or borough in respect of registration expenses), is to be paid to any council out of moneys provided by Parliament, the amount of the registration expenses paid by that council shall be decreased by the amount so certified.

If any question arises as to the correctness of any certificate given under the foregoing provision by a registration officer, that question shall be referred to the Secretary of State, and the decision of the Secretary of State in the matter shall be final and conclusive.

(11) If any registration officer fails to comply with the requirements of this section or any Order in Council made under this Act, or wilfully marks as a juror, or as a special juror, in any electors list any person who ought not to be so marked, he shall be deemed to have failed to perform a duty in connection with registration within the meaning of the Representation of the People Act, 1918, and, if any clerk of a county council or sheriff fails to comply with the requirements of this section or any Order in Council made under this Act, he shall, in respect of each offence, be liable to the same penalty as if he had committed an offence under section forty-six of the Juries Act, 1825.

(12) The provisions of this Act shall, subject to the prescribed modifications, apply in the case of persons whose names are included in lists of claimants for registration as they apply in the case of persons whose names are included in electors lists.

Persons
included in
jurors book

2.—(1) Every person whose name is included in the jurors book as a juror or special juror shall be liable to

serve as such, notwithstanding that he may have been entitled by reason of some disqualification or exemption to claim that he ought not to be marked in the electors list as a juror or special juror :

liable to serve notwithstanding disqualification or right to exemption.

Provided that nothing in the foregoing provision shall affect the right of any person to be excused from attendance on a jury on the ground of illness or, if a woman, for medical reasons.

(2) The notice to be published by the registration officer under paragraph 6 of the First Schedule to the Representation of the People Act, 1918, (which prescribes the duties of the registration officer in the preparation of electors lists), shall, in the case of the autumn register, include a notice to the effect that the names of persons marked in the electors lists as jurors or special jurors will be included as such in the jurors book, but that any person who is aggrieved by being so marked may, for the purpose of having the mark placed against his name removed, apply to the registration officer and to a court of summary jurisdiction in the manner hereinbefore in this Act provided, and that every person whose name is included in the jurors book as a juror will be liable to serve as such, notwithstanding that he might have claimed disqualification or exemption.

3. If any person who has been summoned by the sheriff to attend on a jury shows in writing to the satisfaction of the sheriff that there is good reason why he should be excused from attending on that jury, it shall be lawful for the sheriff notwithstanding anything in the Juries Act, 1825, or any other Act, to excuse that person from so attending :

Power of sheriff to excuse juror from attendance.

Provided that—

- (a) nothing in this section shall affect the power of a court or judge to excuse any person from attending on a jury ; and
- (b) the sheriff shall produce to the court or judge all applications received by him from persons asking to be excused from attendance on any jury summoned for the trial of cases before that court or judge and any correspondence relating to any such applications, and shall, where he has complied with any such application, state to the court or judge his reasons for so doing.

Provisions
as to juries
in borough
courts.

45 & 46 Vict.
c. 50.

4.—(1) In the case of any borough having a separate court of quarter sessions or a borough civil court, the persons whose names are included in so much of the jurors book for the area comprising the borough as relates to the area of the borough shall be qualified and liable to serve on grand juries in the borough and on juries for the trial of issues joined in either of those courts, and subsection (1) of section one hundred and eighty-six of the Municipal Corporations Act, 1882, shall cease to have effect.

(2) The foregoing provisions of this section shall come into operation on the first day of January, nineteen hundred and twenty-three.

(3) The clerk of the council of a county shall, on demand, supply free of cost to the person charged with the return of jurors in a court of quarter sessions or civil court in any borough in the county, a copy of so much of the jurors book for the county as relates to the area of the borough.

Abolition of
present
practice of
striking
special
juries, and
provision as
to descrip-
tion of
jurors in
panel, &c.
8 & 9 Vict.
c. 18.

5.—(1) Subject as hereinafter provided, a special jury shall in all cases be balloted for and called in the order in which they are drawn from the box in the same manner as common jurors, and any enactments providing for the striking of a special jury according to the present practice shall cease to have effect:

Provided that nothing in this Act shall affect the manner of striking a special jury to try a question of disputed compensation under the Lands Clauses Consolidation Act, 1845.

(2) Where under the Juries Act, 1825, the addition of a juror is required to be stated on any panel, parchment, card or list, it shall be sufficient to set out the profession, calling or business of the juror.

Power to
make Orders
in Council.

6.—(1) Provision may be made by Order in Council under this Act—

(a) for requiring and authorising the registration officer to mark as jurors or as special jurors in the autumn register for the year in which this Act comes into operation the names of the persons qualified and liable or qualified to serve as such, notwithstanding that their names have not been so marked in the electors lists, and for

making so far as relates to the operation of this Act in that year any consequential modifications in the provisions thereof :

(*b*) for requiring and authorising the registration officer to mark provisionally as jurors or as special jurors in the electors lists for the spring register in any year the names of any persons included therein who are qualified and liable or qualified to serve as such :

(*c*) for prescribing the manner in which the jurors book is to be made up from the registers :

(*d*) for authorising the sheriff to require information to be furnished to him in writing or otherwise—

(*i*) by persons summoned to attend on juries, with respect to their sex and their professions, callings, or businesses ; and

(*ii*) by persons applying to be excused from attending on juries, with respect to their previous service as jurors and any other matters relevant to the application ; and

for imposing on persons who fail to furnish the required information or who furnish false information a penalty, to be recovered on summary conviction, not exceeding five pounds in respect of any one offence :

(*e*) for making such adaptations in any enactments as are necessary for giving full effect to this Act :

(*f*) otherwise for carrying this Act into effect.

(2) Any Order in Council made under this Act may be revoked or varied by a subsequent Order so made, but subject to such variation or revocation shall have effect as if enacted in this Act.

7. In this Act, unless the context otherwise requires—

The expression “prescribed” means prescribed by Order in Council under this Act :

The expression “county” includes a county of a city and a county of a town for which a separate commission of assize is issued :

Interpreta-
tion.

The expression "clerk of the county council" means in the case of such a city or town as aforesaid the town clerk, and in the case of the county of London the clerk of the peace :

The expression "sheriff" includes any person charged with the return of jurors :

The expression "overseers" means, in relation to a metropolitan borough, the town clerk, and in relation to a parish for which in pursuance of the Vestries Act, 1850, there has been appointed a vestry clerk who is charged with duties in connection with the preparation of jury lists, the vestry clerk.

13 & 14 Vict.
c. 57.

Short title,
saving,
extent, and
repeal.

8.—(1) This Act may be cited as the Juries Act, 1922.

(2) Nothing in this Act shall alter or affect—

(a) the preparation of jury lists or the jurors book in the City of London; or

(b) the qualification or liability of any person to be summoned to serve and to serve as a juror or special juror on any jury in the High Court or at assizes, or in any county court, except that (without prejudice to the provisions of section thirty-seven of the Juries Act, 1825) a person whose name is not included in the register of electors shall not be qualified or liable so to serve, and that a woman who is a vowed member of a religious order living in a convent or other religious community shall not be marked as a juror and shall not, although included in the jurors book, be liable to serve on any jury.

(3) This Act shall not apply to Scotland or Ireland.

(4) The enactments mentioned in the Schedule to this Act shall be repealed to the extent specified in the third column of that schedule.

SCHEDULE.

Section 8.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
6 Geo. 4. c. 50	The Juries Act, 1825.	Sections five, six, eight, nine, ten, eleven, twelve, thirty-one and thirty-two; section thirty-three down to the words "provided always that"; in section thirty-four the words "the fees for striking such jury and"; sections thirty-six and forty-five; in section forty-six the words from "shall refuse" where they first occur to "application or", the words from "to provide" where they first occur to "aforesaid or" where they first occur, the words from "or if any clerk" to "within such division", the words "except in consequence of the conviction of the churchwarden or overseer hereinbefore provided for", the words from "or shall refuse or neglect within ten days" to "by any of his predecessors", and the words "clerk of the petty sessions"; in section fifty the words from the beginning to "heretofore accused"; the Schedule.
25 & 26 Vict. c. 107.	The Juries Act, 1862.	Sections four, five, six, eight, nine, and ten, and the Schedule.
33 & 34 Vict. c. 77.	The Juries Act, 1870.	In section eight the words "juries or," wherever they occur; sections eleven to fifteen and section seventeen.
45 & 46 Vict. c. 50.	The Municipal Corporations Act, 1882.	Subsection (1) of section one hundred and eighty-six.
