



Juries Act 1974

1974 CHAPTER 23

11 The ballot and swearing of jurors.

- (1) The jury to try an issue before a court shall be selected by ballot in open court from the panel, or part of the panel, of jurors summoned to attend at the time and place in question.
- (2) The power of summoning jurors under section 6 of this Act may be exercised after balloting has begun, as well as earlier, and if exercised after balloting has begun the court may dispense with balloting for persons summoned under that section.
- (3) No two or more members of a jury to try an issue in a court shall be sworn together.
- (4) Subject to subsection (5) below, the jury selected by any one ballot shall try only one issue (but any juror shall be liable to be selected on more than one ballot).
- (5) Subsection (4) above shall not prevent—
 - (a) the trial of two or more issues by the same jury if the trial of the second or last issue begins within 24 hours from the time when the jury is constituted, or
 - (b) ^{F1}
 - (c) in a criminal case beginning with a special plea, the trial of the accused on the general issue by the jury trying the special plea.
- (6) In the cases within subsection (5)(a)^{F2} . . . and (c) above the court may, on the trial of the second or any subsequent issue, instead of proceeding with the same jury in its entirety, order any juror to withdraw, if the court considers he could be justly challenged or excused, or if the parties to the proceedings consent, and the juror to replace him shall, subject to subsection (2) above, be selected by ballot in open court.

Textual Amendments

- F1** S. 11(5)(b) repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 58(1)(2), 60, Sch. 10 para. 8(2), [Sch. 11](#) (with Sch. 12 para. 8); S.I. 2005/579, [art. 3\(g\)\(i\)\(iv\)](#)
- F2** Word in s. 11(6) repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 58(1)(2), 60, Sch. 10 para. 8(3), [Sch. 11](#) (with Sch. 12 para. 8); S.I. 2005/579, [art. 3\(i\)\(iv\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Juries Act 1974, Section 11.