
Status: Point in time view as at 03/02/1995. This version of this provision has been superseded.

Changes to legislation: Criminal Procedure (Scotland) Act 1975, Paragraph 1 is up to date with all changes known to be in force on or before 23 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 3

COMPOSITION OF JURIES

Summoning of Jurors.—Lists of Assize

- 1 Where a list of assize falls to be returned upon requisition of the Clerk of Justiciary for a criminal trial in which the second diet is to be held before the High Court, or falls to be prepared by the clerk of the district where the second diet is to be held in cases in which the second diet is to be in a sheriff court, the following provisions shall apply, namely:—
- (a) Where according to the existing law and practice the number of jurors in any list to be requisitioned by the Clerk of Justiciary would not exceed 45 in the case of a sitting of the High Court, the Clerk shall make requisition for a return of such a number of jurors—not exceeding 90, nor fewer than 60 where 45 would be requisitioned, and in the like proportion in other cases—as he may deem requisite: and the sheriffs responsible for making the return shall return such increased number accordingly, returning as nearly as possible the names of men and women equally.
 - (b) Where a number of jurors in excess of the numbers specified in the preceding subparagraph is to be requisitioned, the Act of Adjournal or the Lord Commissioner of Justiciary making the direction for the return shall specify the number of jurors to be returned; and of the number so specified, men and women respectively shall be returned as nearly as may be equally.
 - (c) The provisions of this Act regulating the proportions in which jurors are to be drawn from the various districts included in any area for which a return is made by a sheriff, shall extend to and be observed in the return of women as well as of men.
 - (d) In making his return the sheriff shall group the men and women respectively returned by him separately, by placing their names in different columns, or in some other convenient manner.
 - (e) The clerk charged with the preparation of any list of assize for a trial of which the second diet is appointed to be held in a sheriff court, shall, in preparing the same, include such equal number of women as of men therein as shall seem to him to be reasonably sufficient to ensure the attendance of a number of jurors of each sex so as to provide a jury of that sex only, if such should be required for the trial of such case or cases.
 - (f) A husband and wife shall not be returned in any case on the same list of assize.

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