
STATUTORY INSTRUMENTS

2006 No. 353

The Criminal Procedure (Amendment) Rules 2006

Amendments to the Criminal Procedure Rules 2005

10. In Part 39 (trial on indictment)—

(a) in the table of contents, insert—

(i) at the end of the first column, “Appeal against refusal to excuse from jury service or to defer attendance”, and

(ii) at the end of the second column, “rule 39.2”; and (b) after rule 39.1, insert—

“Appeal against refusal to excuse from jury service or to defer attendance

39.2.—(1) A person summoned under the Juries Act 1974⁽¹⁾ for jury service may appeal in accordance with the provisions of this rule against any refusal of the appropriate court officer to excuse him under section 9(2), or to defer his attendance under section 9A(1), of that Act.

(2) Subject to paragraph (3), an appeal under this rule shall be heard by the Crown Court.

(3) Where the appellant is summoned under the 1974 Act to attend before the High Court in Greater London the appeal shall be heard by a judge of the High Court and where the appellant is summoned under that Act to attend before the High Court outside Greater London or before a county court and the appeal has not been decided by the Crown Court before the day on which the appellant is required by the summons to attend, the appeal shall be heard by the court before which he is summoned to attend.

(4) An appeal under this rule shall be commenced by the appellant’s giving notice of appeal to the appropriate court officer of the Crown Court or the High Court in Greater London, as the case may be, and such notice shall be in writing and shall specify the matters upon which the appellant relies as providing good reason why he should be excused from attending in pursuance of the summons or why his attendance should be deferred.

(5) The court shall not dismiss an appeal under this rule unless the appellant has been given an opportunity of making representations.

(6) Where an appeal under this rule is decided in the absence of the appellant, the appropriate court officer of the Crown Court or the High Court in Greater London, as the case may be, shall notify him of the decision without delay.

[Note. Formerly rule 25 of the Crown Court Rules 1982(2).]”.

(1) 1974 (c. 23).

(2) S.I.1982/1109; relevant amendments were made by S.I. 1988/2131.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
