
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 26

JURORS

Appeal against officer's refusal to excuse or postpone jury service

26.1.—(1) This rule applies where a person summoned for jury service in the Crown Court, the High Court or the county court wants to appeal against a refusal by an officer on the Lord Chancellor's behalf—

- (a) to excuse that person from such service; or
 - (b) to postpone the date on which that person is required to attend for such service.
- (2) The appellant must appeal to the court to which the appellant has been summoned.
- (3) The appellant must—
- (a) apply in writing, as soon as reasonably practicable; and
 - (b) serve the application on the court officer.
- (4) The application must—
- (a) attach a copy of—
 - (i) the jury summons, and
 - (ii) the refusal to excuse or postpone which is under appeal; and
 - (b) explain why the court should excuse the appellant from jury service, or postpone its date, as appropriate.
- (5) The court to which the appeal is made—
- (a) may extend the time for appealing, and may allow the appeal to be made orally;
 - (b) may determine the appeal at a hearing in public or in private, or without a hearing;
 - (c) may adjourn any hearing of the appeal; but
 - (d) must not determine an appeal unless the appellant has had a reasonable opportunity to make representations in person.

[Note. See sections 9 and 9A of the Juries Act 1974(1).

Where a person summoned for jury service—

- (a) *fails to attend as required; or*
- (b) *after attending as required, when selected under rule 25.6—*

(1) 1974 c. 23; section 9 was amended by paragraphs 1, 3, 4, 5 and 6 of Schedule 33, and Part 10 of Schedule 37, to the Criminal Justice Act 2003 (c. 44) and paragraph 172 of Schedule 8 to the Courts Act 2003 (c. 39). Section 9A was inserted by section 120 of the Criminal Justice Act 1988 (c. 33) and amended by paragraphs 1, 7, 8, 9, 10 and 11 of Schedule 33 to the Criminal Justice Act 2003 (c. 44) and paragraph 172 of Schedule 8 to the Courts Act 2003 (c. 39).

- (i) *is not available, or*
- (ii) *is unfit for jury service by reason of drink or drugs*

that conduct may be punished as if it were a contempt of court. See section 20 of the Juries Act 1974 and rules 48.5 to 48.8 (contempt of court). The maximum penalty which the court can impose is a fine of £1,000.]