

South Australia

Juries (General) Regulations 2013

under the *Juries Act 1927*

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1—Short title

These regulations may be cited as the *Juries (General) Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Interpretation

In these regulations—

Act means the *Juries Act 1927*;

approved computer program means a computer program approved by the Chief Justice for the purposes of these regulations;

jury pool for a jury district for a particular month, means the jurors summoned to render jury service for the purposes of criminal trials commencing in the jury district in that month (except those released from jury service and those comprising juries for trials that have not been completed).

4—Persons ineligible for jury service

For the purposes of Schedule 3 of the Act, persons employed by the following prescribed body whose duties of office are connected with the investigation of offences, the administration of justice or the punishment of offenders are ineligible for jury service:

G4S Custodial Services Pty Ltd (ACN 050 069 255).

5—Jury pools and jury panels

- (1) A jury panel for a criminal trial commencing in a jury district in a particular month must be constituted from the jury pool for the district for that month as follows:
 - (a) for each day of the month on which trials are to commence (other than the day on which the jury pool is first required to attend) the sheriff must direct—
 - (i) all of the jurors in the jury pool; or
 - (ii) a number of the jurors in the jury pool selected in accordance with paragraph (b),
to attend for the purpose of rendering jury service;
 - (b) a selection of jurors from the jury pool for the purposes of paragraph (a)(ii) may be—
 - (i) by ballot or by use of an approved computer program; or
 - (ii) if having regard to the sittings of the courts and the number of jurors in the pool the sheriff has divided the jury pool into a number of sections by ballot or by use of an approved computer program—by the sheriff selecting one or more of the sections of the jury pool; or
 - (iii) by some other means approved by the Chief Justice;
 - (c) if only one trial is to commence on a particular day in the month, the jury panel for the trial is constituted of—
 - (i) the jurors selected by the sheriff by ballot or approved computer program from amongst those who attend on that day in obedience to the summons or directions of the sheriff; or
 - (ii) if the sheriff considers it unnecessary to make such a selection—all the jurors who attend on that day in obedience to the summons or directions of the sheriff;
 - (d) if more than one trial is to commence on a particular day in the month, the sheriff must divide the jurors who attend on that day in obedience to the summons or directions of the sheriff into separate jury panels and appropriate each panel to a trial.
- (2) If a juror who attends on a particular day in obedience to the summons or directions of the sheriff is not included in a jury for a trial, the sheriff may excuse the juror from further jury service on that day but the juror must next attend in obedience to the summons at a time and place to be directed by the sheriff.
- (3) Subject to the Act and these regulations, on completion of jury service in a trial before the end of the month for which the juror has been summoned, the juror must next attend in obedience to the summons at a time and place to be directed by the sheriff.

6—Release of juror from further service

A court before which a jury has served may (in accordance with any applicable rules) release a juror who has served on the jury from further jury service in compliance with the juror's summons.

7—Summons to juror

For the purposes of section 30(1) of the Act, the form set out in Schedule 1 is prescribed.

Schedule 1—Forms

Summons to Juror

I write to summon you to render jury service for the Court sitting month of [*insert month*].

You must attend at [*insert location*] on [*insert date*] at [*insert time*].

Your initial attendance will include a general orientation and allow you to ask any questions you may have about jury service. Further attendances for jury service will be required at such times as I or a judge may direct in accordance with the requirements of the Court.

While this summons obliges you to provide jury service for the Court sitting month of [*insert month*], if you are selected to form part of the jury to sit on a trial that proceeds past the end of that month, you will be required to attend as a juror until discharged by the Court or the completion of that trial.

Your attendance for jury service is required by section 78 of the *Juries Act 1927*. Unless you have been officially excused from attending for jury service, you will be guilty of an offence and liable to a fine of up to \$1 250 if you do not attend in response to this summons.

The right of an accused to a fair trial, before a jury, is an important part of our criminal justice system. Jurors make a valuable contribution to the maintenance of this system.

If you live 150 kilometres or more from the courthouse, you may apply to be excused from serving.

Schedule 2—Revocation of *Juries (General) Regulations 1998*

The *Juries (General) Regulations 1998* are revoked.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 22 August 2013

No 207 of 2013

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