

South Australia

Juries (General) Regulations 1998

under the *Juries Act 1927*

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Legislative history

1—Short title

These regulations may be cited as the *Juries (General) Regulations 1998*.

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 inquests commencing in the jury district in that month (except those released from jury service and those comprising juries for inquests 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:

Group 4 Correction Services Pty Ltd (ACN 050 069 255).

5—Jury pools and jury panels

- (1) A jury panel for a criminal inquest 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 inquests 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 inquest is to commence on a particular day in the month, the jury panel for the inquest 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 inquest 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 an inquest.
- (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 an inquest, 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 an inquest 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

You must attend at on at

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, 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.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Revocation of regulations

The *Juries (General) Regulations 1998* were revoked by Sch 2 of the *Juries (General) Regulations 2013* on 1.9.2013.

Principal regulations and variations

| Year | No | Reference | Commencement |
|------|-----|---------------------------------|----------------|
| 1998 | 24 | <i>Gazette 5.3.1998 p1082</i> | 9.3.1998: r 2 |
| 2004 | 224 | <i>Gazette 28.10.2004 p4091</i> | 14.3.2005: r 2 |

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

| Provision | How varied | Commencement |
|-----------|--|------------------|
| r 2 | <i>omitted under the Legislation Revision and Publication Act 2002</i> | <i>14.3.2005</i> |
| r 7 | inserted by 224/2004 r 4 | 14.3.2005 |
| Sch 1 | inserted by 224/2004 r 4 | 14.3.2005 |