

**PROJET D'ACTE (200-) METTANT EN VIGUEUR LA LOI (2001) (AMENDEMENT No. 8) REGLANT LA
PROCEDURE CRIMINELLE**

**Logé au Greffe le 2 juillet 2002
par le Comité de Législation**



ETATS DE JERSEY

GREFFE DES ETATS

150

2002

P.112

Prix: A

Report

The *Loi* (2001) (*Amendement No. 8 réglant la procédure criminelle* (“the principal Law”) introduced a number of reforms dealing with trial by jury. The major reforms involved were brought into force by the Act of the States [R&O 153/2001] on 12th November 2001.

However, Articles 9, 11 and 13 of the principal Law were not then brought into force.

Article 9 replaced Article 29 of the principal Law which made detailed provision as to the procedure at the *tirage*. The *tirage* is the procedure by which jurors for each Assize trial are drawn at random. Instead of prescribing the detailed procedure in the principal Law, the new Article 29 provided (in translation) that-

“The drawing of jurors for each Assize shall take place in the manner prescribed by Rules of Court which shall make provision necessary to ensure -

(a) that the names of the members of the jury are drawn at random; and

(b) that there will be a sufficient number of persons warned to serve on the jury.”

Articles 11 and 13 made other minor procedural amendments to the process of the *tirage* to ensure that the principal Law was consistent with modern practice.

The draft Rules of Court pursuant to the new Article 29 of the principal Law have now been agreed with the *Comité des Connétables* and are to be submitted to the Superior Number of the Royal Court presently with the intention that they come into force on 2nd September, 2002. It is necessary that the remaining Articles of the principal Law relating to the *tirage* procedure come into force at the same time as the Rules of Court.

Hence the present Act would bring those remaining Articles of the principal Law into force on 2nd September 2002.

This draft Act has no implications for the financial or manpower resources of the States.

Explanatory Note

The purpose of this Act is to appoint 2nd September 2002 as the day on which the remainder of the Loi (2001) (Amendement No. 8) réglant la procédure criminelle (Articles 9, 11 and 13) shall come into force.

The Loi (P.89 of 2000) was adopted by the States on 24th October 2000.

Loi (2001) (Amendement No. 8) réglant la procédure criminelle

ACTE (2002) METTANT EN VIGUEUR LA LOI (2001) (AMENDEMENT No. 8) REGLANT LA
PROCEDURE CRIMINELLE

(Publié le _____ jour de _____ 200-)

AUX ETATS DE L'ILE DE JERSEY

L'An 200-, le _____ jour de _____

LES ETATS, en vertu des pouvoirs conférés par l'Article 21 de la Loi (2001) (Amendement No. 8) réglant la procédure criminelle,^[1] ont adopté l'Acte suivant -

1. Les Articles 9, 11 et 13 de la Loi (2001) (Amendement No. 8) réglant la procédure criminelle^[2] entrera en vigueur le deux septembre 2002.

2. Cet Acte pourra être cité sous le titre d' "Acte (2002) mettant en vigueur la Loi (2001) (Amendement No. 8) réglant la procédure criminelle".

^[1] Recueil des Lois, Volume 2001, page 34.

^[2] Recueil des Lois, Volume 2001, pages 31 and 32.