

**ANTIGUA AND BARBUDA**



**JURY (AMENDMENT) BILL, 2021**

**NO. OF 2021**



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**ARRANGEMENT OF CLAUSES**

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**AN ACT** to amend the Jury Act 2009, No. 6 of 2009 and for other connected purposes.

**ENACTED** by the Parliament of Antigua and Barbuda as follows:

**1. Short title**

This Act may be cited as the Jury (Amendment) Act 2021.

**2. Interpretation**

In this Act, “principal Act” means the Jury Act 2009, No. 6 of 2009.

**3. Amendment of section 20 – Mode of impanelling juries**

Section 20 of the principal Act is amended by repealing the word “twelve” occurring in subsections (1) (c), (3), (4), (7) and subsection (8) and replacing therefore the word “nine”.

**4. Amendment of section 22 – Number of Jurors**

Section 22 of the principal Act is amended in subsection (1) by repealing the word “twelve” and replacing this with the word “nine”.

**5. Amendment of section 23 – Peremptory challenges and standing by**

Section 23 paragraph (b) of the principal Act is amended by repealing the word “twelve” and replacing this with the word “nine”.

**6. Amendment of section 25 – Deaths, absence or incapacity of juror**

Section 25 of the principal Act is amended in subsection (2) by repealing the word “nine” and replacing this with the word “seven”.

Passed by the House of Representatives

this      day of                      2021

Speaker

Clerk to the House of Representatives

Passed by the Senate

this      day of                      , 2021

President

Clerk to the Senate

## EXPLANATORY MEMORANDUM

The objective of this amendment is to allow for a decrease of the number of jurors making up the panel of jurors. The Jury system is used primarily in criminal matters. The Jury Act of 2009 provided for the twelve (12) jurors to sit on a panel and, in the case of death, absence or incapacity during the course of any proceedings, except on the trial of a capital matter, this amount could be reduced to nine (9). However, as a result of the COVID pandemic, the new norm requires that for the safety of the jurors and the members of the judiciary, as well as our accused persons, the appropriate protocols must be followed. Hence, this amendment will reduce the number of persons forming the jury from twelve to nine.

The Bill contains six (6) clauses:

**Clause 1 and 2:** Short title and interpretation – This bill upon passing will be cited as the jury (Amendment) Bill 2021

**Clauses 3, 4, and 5:** Amends sections 20, 22 and 23 respectively of the principal Act by repealing the number “twelve” and replacing this with the number “nine” where it occurs.

(1.) **Clause 6:** Amending section 25 on Deaths, absence or incapacity of jurors provides that in circumstances where the panel of 9 jurors is affected by death or incapacity of a juror, the trial of a non-capital matter can continue provided the number of jurors does not fall below seven.

Hon. Steadroy C. O. Benjamin,  
Minister of Justice, Legal Affairs, Public Safety and Labour