

Jury Amendment (Majority Verdicts)

Bill 2004

New South Wales

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Jury Act 1977* to provide for majority verdicts by juries in criminal trials.

The Bill inserts a new provision in the Act (proposed section 55F) to enable juries in criminal trials to deliver a majority verdict if, in the case of a jury of 12 persons, 11 of the jurors agree on the verdict.

The Bill also inserts a new provision in the Act (proposed section 56) to enable a court to discharge a jury of 12 persons after 6 hours of deliberations if it finds that the jury is not likely to reach either a unanimous or majority verdict. The provisions relating to the discharge of juries in existing section 56 are re-enacted for juries consisting of fewer than 12 persons.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the day occurring 3 months after the date of assent, unless commenced sooner by proclamation.

Clause 3 is a formal provision that gives effect to the amendments to the *Jury Act 1977* set out in Schedule 1.

Schedule 1 makes the amendments described in the Overview above.