

Submission
No 8

INQUIRY INTO THE ELIGIBILITY OF MEMBERS OF PARLIAMENT TO SERVE ON JURIES

Organisation: South Australian House of Assembly
Name: The Hon Lyn Breuer MP
Position: Speaker
Date received: 23/07/2010



OFFICE OF THE SPEAKER

PARLIAMENT HOUSE
NORTH TERRACE
ADELAIDE 5000
SOUTH AUSTRALIA

21st July, 2010

The Chair
Standing Committee on Law and Justice
Parliament House
Macquarie St
SYDNEY NSW 2000

Attention: Hon Christine Robertson MLC

Dear Hon Christine Robertson

I write to your letter of 30 June, 2010 regarding your Committee's inquiry into the eligibility of Members of Parliament to serve on juries, the current provisions in South Australia are outlined below.

The South Australian Juries Act 1927 at s.12 and s.13 (inter alia) disqualifies a range of classes of persons from jury duty and provides for categories of persons who are ineligible for jury service.

Members of Parliament may be considered to fit one or more of the classes rightfully ineligible for jury service. However, there is no evidence to suggest that members of Parliament have been listed in Schedule 3 for any reason other than the long standing parliamentary tradition that a Member's first duty is to the Parliament and that jury service is inconsistent with a Member's over-riding obligation to attend the sittings of the House in which they are a Member.

I also advise that there is no matter currently before the Parliament to amend the current provisions of the Juries Act 1927.

This office is happy to provide further information if requested.

Yours faithfully

Hon Lyn Breuer MP
Speaker
House of Assembly