

THE MAGISTRATES' ASSOCIATION

Support, Training and Development Committee Judicial Policy and Practice Committee

Upper Age Limit for Jury Service Response

The Magistrates' Association feels it is in a unique position to consult on this issue.

We have reviewed the various options put forward and acknowledge that raising the jury service age may increase the pool of jurors, although the comment was made that some of the proposals seemed to arise from a consideration of cost as much as the principles of competence and practicality.

While we acknowledge that older people are a higher proportion of the population, to be truly representative of the whole population (something which magistrates strive to do) it is important that rather than those who have the time to sit on juries the pool should include both working and retired magistrates proportionately. Moreover, while magistrates are regularly appraised to maintain competence until the age 70 this is not the case with members of juries. We note that self exclusion is a possibility, but the Association has recently rejected raising of the age of retirement of magistrates (even with a self exclusion clause) to promote renewal and the inclusion of the views of a wider cross section of the public.

We polled our membership about this issue on the Magistrates' Association website. 62.8% of those who responded agreed that the upper age limit of jury service should continue to be 70.

The Magistrates' Association therefore believes that the upper age limit for jury service should remain at 70.

June 2010

Outline of the consultation proposals

The following options:

- retain the present upper age limit of 70
- raise the upper age limit from 70 to 75
- raise the upper age limit from 70 to 75 but provide a right of self-excusal for those over 70
- raise the upper age limit from 70 to 80
- raise the upper age limit from 70 to 80 but provide a right of self-excusal for those over 70
- abolish the upper age limit
- abolish the upper age limit but provide a right of self-excusal for those over 70.