

## Consultation on Jury Eligibility Criteria

Closing Date: 23<sup>rd</sup> May 2025

### Douglas City Council Response

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#### Question 1:

Are you responding on behalf of an organisation?

- Yes
- No

Organisation:

#### Question 2:

Do you think the current list of those exempt from jury service on the Isle of Man should be updated?

- Yes
- No

Please explain your answer:

The eligibility criteria are due to be reviewed as they are far too wide ranging and out of date. The criteria would benefit with being brought in line with other jurisdictions and in some respects are non-compliant with the Equality Act.

#### Question 3:

Would moving to a system similar to England and Wales whereby individuals may not be exempt from ever serving on a jury because of their profession, but can be excused under certain circumstances and on a case by case basis be more appropriate?

- Yes
- No

Please explain your answer:

There are far too many exemptions, many of which it is difficult to understand why they are included. Part of the concept of a jury is that it represents a variety of people from the area, and across the spectrum of society. It is far too constricted in the Isle of Man.

Although the current system would be easier to administer, and has benefits of being clear with exemptions, however if there is a real issue with shortfall of available jurors and a pool too small for the local population, then this may be worthy of consideration.

#### **Question 4:**

Group A – The Legislature and associated bodies - If exemptions by profession were to remain standard practice, are there any currently listed as exempt under Group A that you feel should remain exempt? (Please select all that apply).

- Peers and Peeresses entitled to receive writs of summons to attend the House of Lords
- Members of Tynwald
- Members of the Statutory Boards and any Committees thereof
- A Clerk to Tynwald or any Branch thereof
- The Tynwald Auditor General
- The Tynwald Commissioner for Administration

The Council don't agree that Members of Statutory Boards and Committees should remain exempt.

#### **Question 5:**

Group B – The Judiciary and associated persons - If exemptions by profession were to remain standard practice, are there any currently listed as exempt under Group B that you feel should remain exempt? (Please select all that apply).

- Deemster
- Judicial Officer within the meaning of section 3C of the High Court Act 1991
- High Bailiff
- Justice of the Peace
- Attorney General and professional members of his Department
- Any person whose duties are or include acting as clerk to any court of summary jurisdiction
- Chief Registrar
- A person who has at any time been a person falling within any description specified above in this Group
- A person for the time being appointed as an arbitrator pursuant to section 4(6) of the Administration of Justice Act 1983

The Council don't believe an arbitrator should still apply, if they have a conflict of interest, they can ask to be excused.

### Question 6:

Group C – Others concerned with the administration of justice - If exemptions by profession were to remain standard practice, are there any currently listed as exempt under Group C that you feel should remain exempt? (Please select all that apply).

- Advocates, barristers or solicitors whether or not in actual practice as such
  - Articled clerks
  - Coroners
  - Professionally qualified legal executives in the employment of advocates
  - Lockmen
  - Officers and staff of any court, if their work is mainly concerned with the day to day administration of the Court
  - A shorthand writer in any court
  - Probation officers and persons appointed to assist
  - Members of the Staff of any remand centre, detention centre, probation home, probation hostel or bail hostel
  - Members of the Parole Committee
  - Members of the body established under section 18(1) of the Police Act 1993
  - A constable
  - The governor and other officers of the Isle of Man Prison
  - Persons employed for the police purposes by the Department of Home Affairs
  - Employees of the Public Services Commission assigned to the Department of Home Affairs
  - The Chief Secretary;
- and those members of the staff of the Cabinet Office whose work is concerned with the administration of justice and who have been designated as such, in writing, by the Chief Secretary
- A person who at any time within the last ten years has been a person falling within any description specified above in this Group

10 years is too long. Three years would be more appropriate. If someone has a conflict, they always have the opportunity to be excused.

### Question 7:

Group D – The Clergy etc. - If exemptions by profession were to remain standard practice, are there any currently listed as exempt under Group D that you feel should remain exempt? (Please select all that apply).

- A person in holy orders; a regular minister of any religious denomination
- A vowed member of any religious order living in a monastery, convent or other religious community

In the Council's view, the clergy should be the ones to advise on eligibility.

### Question 8:

Group E – Others - If exemptions by profession were to remain standard practice, are there any currently listed as exempt under Group E that you feel should remain exempt? (Please select all that apply).

- Medical practitioners
- Dentists
- Nurses
- Midwives
- Veterinary surgeons
- Pharmaceuticals chemists
- The Chief Financial Officer of the Treasury
- The Chief Executive Officer of the Department of Health and Social Care
- The Chief Executive Officer of the Isle of Man Post Office
- The Director of Education
- The Town Clerk of Douglas
- Full time members of Her Majesty's naval, military or air forces
- Members of the fire brigade maintained under the Fire Services Act 1984
- Persons employed for fire-fighting purposes at an aerodrome by the Department of Infrastructure
- Members of Her Majesty's Coastguard Service
- Lifeboat mechanics and crews
- Lighthouse keepers
- Editors, reporters and photographers of newspapers circulating in the Isle of Man and radio and television news reporters
- Qualified masters, certified engineers and licensed officers of vessels and aircraft actually employed
- Harbour Masters
- Marine Surveyors and Assistant Marine Surveyors
- Industrial relations officers
- The Chief Executive of Manx Care

In the Council's view, these should all be removed.

### Question 9:

Mentally disordered persons - Do you think any individuals who would fall under Group F should remain exempt? (Please select all that apply).

- A person who suffers or has suffered from mental disorder and on account of that condition is liable to be detained (otherwise than by virtue of an application for admission for assessment)
- A person who suffers or has suffered from mental disorder on account of that condition is resident in a hospital or mental nursing home
- A person who suffers or has suffered from mental disorder and on account of that condition is subject to guardianship
- A person who suffers or has suffered from mental disorder and on account of that condition is subject to after-care under supervision

- A person who suffers or has suffered from mental disorder and on account of that condition regularly attends treatment by a registered medical practitioner
- A person with respect to whom any proceedings under Part 7 of the Mental Health Act 1998 have been commenced and have not been terminated

These should all remain as exemptions, as these would cause doubt on the person's capacity to act.

### **Question 10:**

Group G - Disabled persons - Do you think any individuals who would fall under Group G should remain exempt? (Please select all that apply).

- A person who is registered as a blind person
- A person who is certified by a registered medical practitioner to be so deaf as to be unable to perform the functions of a juror
- A person who is in receipt of an attendance allowance under section 35 of the Social Security Act 1975 (an Act of Parliament), as it has effect in the Island
- A person who is certified by a registered medical practitioner to be suffering from a condition which is likely to persist for more than 12 months
- A person who is certified by a registered medical practitioner to be suffering from a condition which is such as to render him incapable of performing the functions of a juror

None of these should remain exempt. If they have a medical problem which would stop them attending jury service, they can ask to be excused.

### **Question 11:**

Can you identify any other specific jobs or circumstances not currently on the list that should be considered for inclusion? [No](#)

### **Question 12:**

Currently, individuals in exempted professions remain exempt for a 10-year period after they have left that profession. Do you think individuals in exempted professions should continue to be exempt for 10 years after leaving their profession, or do you think that this period could be shortened (e.g. to 5 years) or end immediately upon leaving?

- 10-year exemption period should remain
- 10-year exemption period should be removed
- [Exemption period should be shortened](#)

The Council would suggest three years.

### **Question 13:**

Do you have any other comments to help inform the consultation? [No](#)

Further comments and feedback: [None](#)