

## **HUMAN RIGHTS (JERSEY) LAW 2000**

### **Viscount's Department Compliance**

#### **Summary of Recommendations**

##### **Granting Exemption from Jury Service.**

Pursuant to the provisions of the Loi (1864) réglant la procédure criminelle, the Viscount may grant such exemptions. There is currently in draft form being circulated for comment to interested parties an amendment to Article 32A of the 1864 Law which will provide that any person aggrieved with a refusal by the Viscount to grant an exemption may renew the request before the Royal Court. I recommend that where an exemption is refused written reasons are produced and given to an applicant.

##### **Granting Financial Assistance to Jury Members.**

The Viscount has always been charged (by the Finance & Economics Committee) with considering whether financial assistance should be granted to jury members who suffer financial hardship as a result of their service. There is no obligation to provide such assistance nor is there any right (statutory or otherwise) entitling a juror to any such assistance. There is, however, an informal procedure so that if an application for financial assistance is refused then an aggrieved juror may ask for that decision to be reviewed by the Finance & Economics Committee. The decision process in the Viscount's Department is usually performed by the Principal Enforcement Officer. I recommend that in cases where an application for financial assistance is refused then brief written reasons should be given setting out the grounds of the refusal and these reasons should be made available to the applicant.

##### **Granting Exemption from Payment of Judicial Fees.**

In accordance with the provisions of Article 7 of the Stamp Duties and Fees (Jersey) Law 1998 the Viscount may grant, on such conditions as he thinks fit, an exemption to an indigent person from the payment of stamp duty. The detailed requirements as to how an application is to be made is set out in Article 7. As a matter of practice I recommend that where such an application is refused written reasons should be given to the applicant setting out the grounds for the refusal.