

cc Security: 9  
Pome Minutes Signals Regiment  
FEB 84

RTA clearly thinks this is not  
being pushed forward fast enough.  
I suggest you ask him to  
try to instil great urgency into  
the consideration of this subject.

Ref. A085/3279

MR WICKS

I minuted you on 2 December (A085/3108) about Mr Toby Jessel's allegations of a conspiracy between baristers and solicitors to pack the jury for the Cyprus trial.

Yes no Agree  
N.C.W.

2. As you agreed, I followed the letter up with the Departments concerned. The Home Secretary and the Law Officers are in 17-12 correspondence on the subject, and the Lord Chancellor's Department and some of the senior judges have been involved. With the agreement of the Solicitor General the Home Secretary has announced that the Crown Prosecution Service, once it comes into operation, will conduct a systematic survey of the use of peremptory challenges by the defence counsel. This does not suggest any great sense of urgency, but I gather that the Home Secretary may be coming forward to his colleagues with other ideas.

RTA

ROBERT ARMSTRONG

16 December 1985

SECURITY: 9 Signals Regiment: Feb 1984



CONFIDENTIAL

lv 56



10 DOWNING STREET

*From the Principal Private Secretary*

Sir Robert Armstrong

I have shown the Prime Minister your minute of 16 December about the use of peremptory challenges by the defence counsel.

The Prime Minister agrees that the discussion of this issue described in paragraph 2 of your minute does not now suggest any great sense of urgency, and she would like you to try to instil a greater urgency into the consideration of this subject.

Please could you do this, and keep the Prime Minister in touch with progress.

NLW

18 December, 1985.

JB

TO BE CHECKED  
AGAINST DELIVERY

Wednesday, 9 July 1986

BY PRIVATE NOTICE

ce TF  
ex  
press  
PU

Mr Gerald Kaufman (Gorton): To ask the Secretary of State for the Home Department, if he will make a statement about the Government's response to the recommendation of the Roskill Report that random jury challenges be abolished.

REPLY (MR HURD)

In the White Paper on plans for criminal justice legislation, we invited comments on concern which had been expressed by my Rt Hon friend the Member for Twickenham and others, about the right of the defence to challenge up to three jurors without giving cause. The White Paper set out several options for change, including abolition of peremptory challenge, as had been recommended by the Roskill Committee on Fraud Trials. I have been reflecting on these options in the light of the response to the White Paper.

Peremptory challenge can be used as a means of removing jurors, simply on grounds of their age or appearance. It seems wrong in principle, and offensive to those concerned, that jurors should be removed without reasons being given. It is also understandable that, in cases with large numbers of defendants, the composition of the jury should be capable of being influenced so substantially. I have therefore decided that it would be desirable to abolish peremptory challenge, and shall be including proposals with that effect in legislation which I hope to introduce next Session. [My Rt Hon friend the Attorney General has agreed that if peremptory challenge is abolished, the use by

the prosecution of its right to require Jurors to stand by for the Crown should be more sparing, and confined to sensitive cases. Challenge for cause, the right of either party to seek the removal of a Juror for stated reasons, would be unaffected]. The Government sees the abolition of peremptory challenge as a contribution to public confidence in the Jury, and is determined to maintain the effectiveness and integrity of the system of Jury trial.