

JURY BILL, 2019

ARRANGEMENT OF SECTIONS

*Sections:*

1. Establishment
2. Qualification of members
3. Appointment of member
4. Oath of office
5. Tenure of appointment
6. Vacancy of member
7. Functions
8. Adoption of Head Jury
9. Special Jury
10. Termination of Appointment
11. Remuneration
12. Code of conduct conformity
13. Interpretation
14. Short Title



# A BILL

## FOR

AN ACT TO ESTABLISH A JURY WITHIN THE NIGERIA JUDICIAL SYSTEM  
AND FOR RELATED MATTERS

*Sponsored by Hon. Francis Charles Uduyok*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria as follows:

1           **1.** There shall be established for each State of the Federation and     Establishment  
2     for the Federal Capital Territory (FCT) a body to be known as the JURY (in  
3     this Bill referred as "the JURY") to be applicable to the Supreme Court of  
4     Nigeria, Courts of Appeal, Federal High Courts, High Court of the Federal  
5     Capital Territory, State High Courts and Election Tribunals.

6           **2.-(1)** An interested applicant shall be qualified to be appointed as a     Qualifications  
7     member of the jury if:   for Member of  
   Jury

8           (a) Such person has been called to the Nigerian Bar for such  
9     number of years subject to approval (from time to time) by the National  
10    Judicial Council (NJC) regarding the Supreme Courts, Courts of Appeal,  
11    Federal High Courts and High Courts of the Federal Capital Territory;

12          (b) Such person has been called to the Nigerian Bar for such  
13    number of years subject to the approval (from time to time) by the Judicial  
14    Service Commission (JSC) of each state in respect of every high Court.

15          (2) (a) such person is a Nigerian;

16          (b) qualified to practice law in Nigeria having been called to the  
17    bar;

18          (c) Someone who has obtained an NYSC discharge certificate or  
19    exemption from same (other relevant qualifications may be an added  
20    advantage);

21          (d) of an unquestionable character.

Appointment of Member	1	<b>3.</b> Any person may upon application be appointed as a member if:
	2	(a) His or her application for such position has been scrutinized and
	3	approved by National Judicial Council (NJC) and appointed by the Chief
	4	Justice of Nigeria (CJN) as regards the Supreme Court, Courts of Appeal,
	5	Federal High Courts and High Court of the Federal Capital Territory;
	6	(b) His or her application for such positron has been scrutinized and
	7	approved by Judicial Service Commission (JSC) in regards to state High
	8	Courts.
Oath of Office	9	<b>4.</b> Any member upon appointment into the JURY shall be sworn on
	10	oath which will be conducted by the C.J.N as regards federal level while the C.J
	11	of each state conducts same for the state level or by any other officer
	12	respectively assigned by him to do so.
Tenure of a Member	13	<b>5.</b> A person shall remain appointed as a member for ten (10) years and
	14	may be re-appointed as a member for another period of four years and no more.
Vacancy	15	<b>6.</b> Where there is vacancy in the office of a member as shown in the
	16	schedule hereinafter, such vacancy should be filled within two months after
	17	same.
Functions	18	<b>7.</b> A member so appointed shall have such functions to:
	19	(1) Analyse issues raised in motions and produce a ruling which may
	20	be read in court by the juror court itself;
	21	(2) Analyse issue raised in preliminary objections (P.O) and produce a
	22	ruling which may be read in court by the juror or court itself;
	23	(3) Analyse issues in bail application and produce a ruling which may
	24	be read in court the juror or court itself;
	25	(4) Analyse any other relevant application and produce a ruling the
	26	furtherance of the substantive suit;
	27	(5) visit the locus (jointly or jointly and serially) being the subject
	28	matter thereof in other to make their own findings of facts;
	29	(6) Unless otherwise stated, the Jury do not have power to sentence
	30	and accused found guilty in criminal cases, likewise they do not have powers in

1	awarding damages in civil cases;	
2	(7) Carry out any other function(s) from time to time directed by	
3	the NJC or JSC respectively.	
4	<b>8.</b> Member appointed as Jury shall adopt someone from same to be	Adoption of
5	their head or presiding juror in every three years.	Head Jury
6	<b>9.</b> Whenever necessary and applicable, the C.J.N or C.J may select	Special Jury
7	from an existing jury, required number of persons to assist with their	
8	functions in Election matters / Tribunals.	
9	<b>10.</b> The appointment of a Member shall be terminated:	Termination of
10	(a) In the manner and circumstances in section 4 of this bill and	Appointment
11	shall be given severance package approved by the National Salaries Income	
12	and Wages Commission;	
13	(b) Where such person commits any form of gross misconduct,	
14	fraud, embezzlement, bribery as the case may be notwithstanding whether	
15	or not the period of appointment has elapsed.	
16	<b>11.</b> A member is entitled to be paid monthly salary(s) and other	Remuneration
17	allowances approved by the commission in section 10 (1) above.	
18	<b>12.</b> Every Member shall observe and conform to the provisions of	Code of Conduct
19	Code of Conduct as contained in the Constitution.	
20	<b>13.</b> In this Bill:	Interpretation
21	"Bar" - means persons qualified to be addressed as barristers and solicitors;	
22	"Code of Conduct" - refers to the manner as applicable in the Fifth Schedule	
23	of the 1999 Constitution (as amended).;	
24	"Court" - means Supreme Court of Nigeria, Appeal Courts, Federal High	
25	Courts, High Courts of the Federal Capital Territory and High Courts of each	
26	State;	
27	"Constitution" - means constitution of the Federal Republic of Nigeria 1999,	
28	as amended.	
29	"Federation" - means Federal Republic of Nigeria;	
30	"Juror" - means a person serving in a jury panel;	

- 1 "Jury" - means a group of persons selected and appointed by law and given the  
2 power to decide questions of facts and return a ruling or verdict to a judge or  
3 justice as the case may be;
- 4 "Members" - means persons appointed into the Jury;
- 5 "Misconduct" - means any form of unlawful or improper behavior;
- 6 "Presiding juror" - means the head of all the jurors;
- 7 "State" - means each state of the Federal Republic of Nigeria;
- 8 "Special jury" - means jurors selected from already existing members by the  
9 chief justice of Nigeria regarding the federal level or chief Judge of each state  
10 regarding the state level.

Short title

- 11 **14.** This Bill may be cited as the Jury Bill, 2019.

## EXPLANATORY NOTE

This Bill seeks to introduce a Jury System in the Nigerian Judicial System to conform to international best practices and to address the issues of misconducts, influential acts within the judiciary.

**SCHEDULE****MEMBERS OF THE JURY:**

<b>COURT</b>	<b>NO OF JURY MEMBERS</b>	<b>SITTING / QUORUM</b>
Supreme Court	Not more than Twelve (12)	Six (6) members
Court of Appeal	Not more than Ten (10)	Five (5) members
Federal High Court	Not more than Seven (7)	Four (4) members
High Court of the Federal Capital Territory	Not more than Seven (7)	Four (4) members
State High Court	Not more than Seven (7)	Four (4) members
Election tribunal	Not more than Eight (8)	Five (5) members