

BVI Seeking to Modernize Jury System Through New Bill That Broadens Jury Pool, Makes Other Changes

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The British Virgin Islands, through a new piece of legislation, is seeking to modernize and enhance the outdated jury system in the territory.

At a roundtable session this week, several high ranking officials, including Director of Public Prosecutions Tiffany R. Scatliffe, Security and Justice Advisor Olva McKenzie Agard and Registrar of the High Court Varen Vanterpool-Nibbs explained what the 2022 Jury Bill is trying to achieve.

Ms. Agard said that not only does the existing legislation date back to 1914, but a portion of it had been struck out by the courts because it was deemed unconstitutional.

Ms. Agard made reference to a 2019 Privy Council judgement — *Willam Penn vs the Queen* where the jury selection process was criticized by the judicial panel. In that matter, the critique had to do with the practice of relying solely on the voter's list to select jurors, which left a large cross section of the citizenry out of the process.

"Juries are supposed to be representative of the community at large," said Ms. Scatliffe, explaining why limiting the pool of potential jurors to only those on the voting list was problematic. A smaller pool, the DPP explained, means that among a population as small as that of the BVI, on several occasions selected jurors have to be dismissed because of familial or personal relationships with the defendants in matter.

The new legislation will modernize the language to make the jury selection process more clear.

According to the DPP, by broadening the jury pool to make it more inclusive, there was a better chance of having a wider cross section of society involved in the dispensation of justice, an important consideration as it is often a jury that determines whether a person is convicted — or acquitted — of a criminal offense.

It was noted that the new bill expands the pool of potential jurors by scouring the Social Security Board, the Department of Immigration and the Civil Registry to get a more comprehensive list of people in the territory.

Previously, only those aged between 18 and 60 years were eligible to serve on a jury. Authorities note that even with the extension of that age range to 70, those physically or mentally incapable of participating in the process, no matter their age, will not be required to serve as jurors.

BVI residents can provide feedback to the new bill [here](#) ahead of its formal reading in the BVI House of Assembly.