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## SCHEDULES

### <sup>F1</sup>SCHEDULE 1

Sections 1 and 9.

#### INELIGIBILITY AND DISQUALIFICATION FOR AND EXCUSAL FROM JURY SERVICE

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##### Textual Amendments

**F1** Sch. 1 substituted (5.4.2004) by Criminal Justice Act 2003 (c. 44), ss. 321, 336, Sch. 33 para. 15; S.I. 2004/829, art. 2(1)(2)(g) (subject to art. 2(3)-(6))

#### PART I

#### PERSONS INELIGIBLE

#### GROUP A

##### *The Judiciary*

Holders of high judicial office within the meaning of the Appellate Jurisdiction Act <sup>M1</sup>1876.

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##### Marginal Citations

**M1** 1876 c. 59.

Circuit judges and Recorders.

Masters of the Supreme Court.

Registrars and assistant registrars of any court.

Metropolitan and other stipendiary magistrates.

Justices of the peace.

The Chairman or President, the Vice-Chairman or Vice-President, and the registrar and assistant registrar of any Tribunal.

A person who has at any time been a person falling within any description specified above in this Group.

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## GROUP B

### *Others concerned with administration of justice*

Barristers and solicitors, whether or not in actual practice as such.

[<sup>F2</sup>Any person who is not a barrister or solicitor but who is an authorised advocate or authorised litigator (as defined by section 119(1) of the Courts and Legal Services Act 1990) and—

- (a) any legal executive or person corresponding to a legal executive; or
- (b) any person corresponding to a barristers' clerk or assistant clerk,

who is employed by such an authorised advocate or authorised litigator.]

Solicitors' articled clerks.

Barristers' clerks and their assistants.

Legal executives in the employment of solicitors. [<sup>F3</sup>Public Notaries]

The Director of Public Prosecutions and members of his staff.

Officers employed under the Lord Chancellor and concerned wholly or mainly with the day-to-day administration of the legal system or any part of it.

Officers and staff of any court, if their work is wholly or mainly concerned with the day-to-day administration of the court.

Coroners, deputy coroners and assistant coroners.

Justices' clerks and their assistants.

Clerks and other officers appointed under section 15 of the Administration of Justice Act <sup>M2</sup>1964 (Inner London magistrates courts administration.)

Active Elder Brethren of the Corporation of Trinity House of Deptford Strond.

A shorthandwriter in any court.

Governors, chaplains, medical officers and other officers of penal establishments; members of boards of visitors for penal establishments.

(“Penal establishment” for this purpose means any [<sup>F4</sup>establishment regulated by the Prison Act 1952]).

The warden or a member of the staff of a probation home, probation hostel or bail hostel (within the meaning of the Powers of Criminal Courts Act <sup>M3</sup>1973).

Probation officers and persons appointed to assist them.

Members of the Parole Board; members of local review committees established under the Criminal Justice Act <sup>M4</sup>1967.

A member of any police force (including a person on central service under section 43 of the Police Act <sup>M5</sup>1964); special constables; a member of any constabulary maintained under statute; a person employed in any capacity by virtue of which he has the powers and privileges of a constable.

A member of a police authority within the meaning of the Police Act 1964; a member of any body (corporate or other) with responsibility for appointing members of a constabulary maintained under statute.

Inspectors of Constabulary appointed by Her Majesty: assistant inspectors of constabulary appointed by the Secretary of State.

[<sup>F5</sup>Civilians employed for police purposes under section 10 of the Police Act <sup>M6</sup>1964]; members of the metropolitan civil staffs within the meaning of section 15 of the Superannuation (Miscellaneous Provisions) Act <sup>M7</sup>1967 (persons employed under the Commissioner of Police of the Metropolis, Inner London justices' clerks, etc.).

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A person in charge of, or employed in, any forensic science laboratory.

A person who at any time within the last ten years has been a person falling within any description specified above in this Group.

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**Textual Amendments**

- F2** Entry inserted (*prosp.*) by Courts and Legal Services Act 1990 (c. 41, SIF 37), ss. 124(3), 125(3), **Sch. 18 para. 5**
- F3** Entry inserted (*prosp.*) by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 124(3), 125(2), **Sch. 17 para. 7**
- F4** Words substituted by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 123(6), Sch. 8 paras. 8, **16**
- F5** Words substituted by Criminal Law Act 1977 (c. 45), **Sch. 12**
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**Marginal Citations**

- M2** 1964 c. 42.
- M3** 1973 c. 62.
- M4** 1967 c. 80.
- M5** 1964 c. 48.
- M6** 1964 c. 48.
- M7** 1967 c. 28.

**GROUP C**

*The clergy, etc.*

A man 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.

**[<sup>F6</sup>GROUP D]**

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**Textual Amendments**

- F6** Group D of Sch. 1 substituted by Mental Health (Amendment) Act 1982 (c. 51, SIF 85), ss. 65(1), 69(6), Sch. 3 para. 48, **Sch. 5 para. 1**

*Mentally disordered persons*

A person who suffers or has suffered from mental illness, psychopathic disorder, mental handicap or severe mental handicap and on account of that condition either—

- (a) is resident in a hospital or other similar institution; or
- (b) regularly attends for treatment by a medical practitioner.

A person for the time being in guardianship under [<sup>F7</sup>section 7 of the Mental Health Act 1983].

A person who, under [<sup>F7</sup>Part VII of that Act], has been determined [<sup>F7</sup>by a judge to be incapable,

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by reason of mental disorder, of managing and administering his property and affairs. (In this Group—

- (a) “mental handicap” means a state of arrested or incomplete development of mind (not amounting to severe mental handicap) which includes significant impairment of intelligence and social functioning;
- (b) “severe mental handicap” means a state of arrested or incomplete development of mind which includes severe impairment of intelligence and social functioning;
- (c) other expressions are to be construed in accordance with [<sup>F7</sup>the said Act of 1983.]

**Textual Amendments**

**F7** Words substituted by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148, [Sch. 4 para. 37](#)

## PART II

### PERSONS DISQUALIFIED

A person who has at any time been sentenced in the United Kingdom, the Channel Islands or the Isle of Man—

- (a) to imprisonment for life [<sup>F8</sup>, custody for life or to a term of imprisonment or youth custody of five years or more]: or
- (b) to be detained during Her Majesty’s pleasure, during the pleasure of the Secretary of State or during the pleasure of the Governor of Northern Ireland.

[<sup>F9</sup>A person who at any time in the last ten years has, in the United Kingdom or the Channel Islands or the Isle of Man—

- (a) served any part of a sentence of imprisonment, youth custody or detention, or
- (b) been detained in a Borstal institution; or
- (c) had passed on him or (as the case may be) made in respect of him a suspended sentence of imprisonment or order for detention; or
- (d) had made in respect of him a community service order.

A person who at any time in the last five years has, in the United Kingdom or the Channel Islands or the Isle of Man, been placed on probation.]

**Textual Amendments**

**F8** Words substituted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 77, [Sch. 14 para. 35\(b\)\(i\)](#)

**F9** Words substituted by [Juries Disqualification Act 1984 \(c. 34, SIF 72:1\)](#), s. 1(1)(2)

## PART III

### PERSONS EXCUSABLE AS OF RIGHT

**Modifications etc. (not altering text)**

**C1** [Sch. 1 Pt. III](#) amended by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), s. 20(1), [Sch. 3 para. 1](#)

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*[<sup>F10</sup>General]*

**Textual Amendments**

**F10** Words inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 119(2), 123(6), [Sch. 8 para. 16](#)

[<sup>F10</sup>Persons more than sixty-five years of age.]

*Parliament*

Peers and peeresses entitled to receive writs of summons to attend the House of Lords.

Members of the House of Commons.

Officers of the House of Lords.

Officers of the House of Commons.

VALID FROM 06/05/1999

*[<sup>F11</sup>Scottish Parliament and Scottish Executive*

**Textual Amendments**

**F11** Entry in Sch. 1 Pt. III inserted (6.5.1999) by [1998 c.46, s. 85\(1\)](#) (with s. 126(3)-(11)); [S.I. 1998/3178, art. 2\(2\)](#), [Sch. 3](#)

Members of the Scottish Parliament.

Members of the Scottish Executive.

Junior Scottish Ministers.]

*[<sup>F12</sup>European Parliament]*

**Textual Amendments**

**F12** Words inserted by [European Assembly Elections Act 1978 \(c. 10\)](#), [s. 5\(1\)](#)

Representatives to the [<sup>F13</sup>European Parliament]

**Textual Amendments**

**F13** [Sch. 1 Pt. III](#): for the reference to the European Assembly where used as a Heading and the reference to the Assembly of the European Communities there is substituted in each case retrospectively a reference to the European Parliament by virtue of [European Communities \(Amendment\) Act 1986 \(c. 58, SIF 29:5\)](#), [s. 3\(1\)\(a\)\(3\)](#)

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VALID FROM 01/02/1999

*[<sup>F14</sup>National Assembly for Wales*

**Textual Amendments**

**F14** Entry in Sch. 1 Pt. III inserted (1.2.1999) by 1998 c. 38, s. 125, **Sch. 12 para.18** (with ss. 139(2), 143(2)); S.I. 1999/118, **art. 2**

Members of the National Assembly for Wales.

The Auditor General for Wales.]

VALID FROM 06/05/1999

*[<sup>F15</sup>Public Officials]*

**Textual Amendments**

**F15** **Sch. 1 Pt. III:** Entry headed “Public Officials” inserted (6.5.1999) by S.I. 1999/1042, art. 3, **Sch. 1 Pt. I para. 7**

[<sup>F15</sup>The Auditor General for Scotland.]

*The Forces*

Full-time serving members of—

any of Her Majesty’s naval, military or air forces,

... <sup>F16</sup>

**Textual Amendments**

**F16** Words repealed (with saving) by **Armed Forces Act 1981 (c. 55, SIF 7:1)**, s. 28(2), **Sch. 5 Pt. I** note

... <sup>F16</sup> , ... <sup>F17</sup> .

**Textual Amendments**

**F17** Words repealed by **Armed Forces Act 1976 (c. 52)**, **Sch. 10**

(A person excusable under this head shall be under no obligation to attend in pursuance of a summons for jury service if his commanding officer certifies to the officer issuing the summons that it would be prejudicial to the efficiency of the service if the person were required to be absent from duty.)

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*Medical and other similar professions*

The following, if actually practising their profession and registered (including provisionally or temporarily registered), enrolled or certified under the enactments relating to that profession—

medical practitioners,

dentists,

nurses,

midwives,

veterinary surgeons and veterinary practitioners,

pharmaceutical chemists.

VALID FROM 03/02/1995

*[<sup>F18</sup>Members of certain religious bodies*

**Textual Amendments**

**F18** Entry in Sch. 1 Pt. III inserted (3.2.1995) by 1994 c. 33, s. 42; S.I. 1995/127, art. 2(1), Sch. 1

A practising member of a religious society or order the tenets or beliefs of which are incompatible with jury service.]

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