

*Changes to legislation: There are currently no known outstanding effects for the Juries Act 1974, SCHEDULE 1. (See end of Document for details)*

## SCHEDULES

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

#### [<sup>F2</sup>PERSONS DISQUALIFIED FOR JURY SERVICE]

##### 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)**
- F2** Sch. 1 title substituted (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), **ss. 2(2), 4(2)**; S.I. 2013/1694, **art. 2**

### PART 1

#### [<sup>F3</sup>PERSONS SUBJECT TO MENTAL HEALTH ACT 1983 OR MENTAL CAPACITY ACT 2005]

##### Textual Amendments

- F3** Sch. 1 Pt. 1 title substituted (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), **ss. 2(2), 4(2)**; S.I. 2013/1694, **art. 2**

- 1 [<sup>F4</sup>A person for the time being liable to be detained under the Mental Health Act 1983.

##### Textual Amendments

- F4** Sch. 1 paras. 1, 1A substituted for Sch. 1 para. 1 (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), **ss. 2(2), 4(2)**; S.I. 2013/1694, **art. 2**

- 1A A person for the time being resident in a hospital on account of mental disorder as defined by the Mental Health Act 1983.]

##### Textual Amendments

- F4** Sch. 1 paras. 1, 1A substituted for Sch. 1 para. 1 (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), **ss. 2(2), 4(2)**; S.I. 2013/1694, **art. 2**

- 2 A person for the time being under guardianship under section 7 of the Mental Health Act 1983 [<sup>F5</sup>or subject to a community treatment order under section 17A of that Act].

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**Textual Amendments**

- F5** Words in Sch. 1 para. 2 inserted (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), ss. 32, 56, **Sch. 4 para. 4**; S.I. 2008/1900, **art. 2(i)** (with **art. 3**)

- 3            <sup>F6</sup>A person who lacks capacity, within the meaning of the Mental Capacity Act 2005, to serve as a juror.]

**Textual Amendments**

- F6** Sch. 1 para. 3 substituted (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), ss. 67(1), 68(1)-(3), **Sch. 6 para. 20** (with ss. 27-29, 62); S.I. 2007/1897, **art. 2(d)**

- 4            (1) <sup>F7</sup> .....
- (2) <sup>F8</sup> .....

**Textual Amendments**

- F7** Sch. 1 para. 4(1) repealed (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), ss. 1, 55, 56, Sch. 1 para. 18(2), **Sch. 11 Pt. 1**; S.I. 2008/1900, **art. 2(a)(p)** (with **art. 3**)
- F8** Sch. 1 para. 4(2) repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 58(2), 60, **Sch. 11**; S.I. 2005/579, **art. 3(i)(iv)**

## PART 2

### [<sup>F9</sup>OTHER PERSONS DISQUALIFIED FOR JURY SERVICE]

**Textual Amendments**

- F9** Sch. 1 Pt. 2 title substituted (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), ss. 2(2), 4(2); S.I. 2013/1694, **art. 2**

- 5            A person who is on bail in criminal proceedings (within the meaning of the Bail Act 1976).
- 6            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, detention for life or custody for life,
  - (b) to detention during her Majesty’s pleasure or during the pleasure of the Secretary of State,
  - (c) to imprisonment for public protection or detention for public protection,
  - (d) to an extended sentence under section [<sup>F10</sup>226A, 226B,] 227 or 228 of the Criminal Justice Act 2003 [<sup>F11</sup>or section 254, 266 or 279 of the Sentencing Code][<sup>F12</sup>(including such a sentence imposed as a result of section 219A, 220, 221A or 222 of the Armed Forces Act 2006)] or section 210A of the Criminal Procedure (Scotland) Act 1995, or
  - (e) to a term of imprisonment of five years or more or a term of detention of five years or more.

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#### Textual Amendments

- F10** Words in Sch. 1 para. 6(d) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 21 para. 1](#); S.I. 2012/2906, art. 2(s)
- F11** Words in Sch. 1 para. 6(d) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 28\(2\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F12** Words in Sch. 1 para. 6(d) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 22 para. 11](#); S.I. 2012/2906, art. 2(t)

- [<sup>F13</sup>6A A person who at any time in the last ten years has been convicted of—
- (a) an offence under section 20A, 20B, 20C or 20D of this Act,
  - (b) an offence under paragraph 5A, 5B, 5C or 5D of Schedule 6 to the Coroners and Justice Act 2009 (equivalent offences relating to jurors at inquests), or
  - (c) an offence under paragraph 2, 3, 4 or 5 of Schedule 2A to the Armed Forces Act 2006 (equivalent offences relating to members of the Court Martial).]

#### Textual Amendments

- F13** [Sch. 1 para. 6A](#) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 77\(1\), 95\(1\)](#); S.I. 2015/778, art. 3, [Sch. 1 para. 62](#)

- 7 A person who at any time in the last ten years has—
- (a) in the United Kingdom, the Channel Islands or the Isle of Man—
    - (i) served any part of a sentence of imprisonment or a sentence of detention, or
    - (ii) had passed on him a suspended sentence of imprisonment or had made in respect of him a suspended order for detention,
  - (b) in England and Wales, had made in respect of him a community order under section 177 of the Criminal Justice Act 2003 [<sup>F14</sup>or Chapter 2 of Part 9 of the Sentencing Code], a community rehabilitation order, a community punishment order, a community punishment and rehabilitation order, a drug treatment and testing order or a drug abstinence order, or
  - (c) had made in respect of him any corresponding order under the law of Scotland, Northern Ireland, the Isle of Man or any of the Channel Islands [<sup>F15</sup>or a service community order or overseas community order under the Armed Forces Act 2006].

#### Textual Amendments

- F14** Words in Sch. 1 para. 7(b) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 28\(3\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F15** Words in Sch. 1 para. 7(c) inserted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), [ss. 378, 383](#), [Sch. 16 para. 62\(a\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)

- 8 For the purposes of this Part of this Schedule—
- (a) a sentence passed [<sup>F16</sup>(anywhere) in respect of a service offence within the meaning of the Armed Forces Act 2006] is to be treated as having been passed in the United Kingdom, and

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- (b) a person is sentenced to a term of detention if, but only if—
- (i) a court passes on him, or makes in respect of him on conviction, any sentence or order which requires him to be detained in custody for any period, and
  - (ii) the sentence or order is available only in respect of offenders below a certain age,
- and any reference to serving a sentence of detention is to be construed accordingly.]

**Textual Amendments**

**F16** Words in Sch. 1 para. 8(a) substituted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 62\(b\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in [S.I. 2009/1059](#)); S.I. 2009/1167, [art. 4](#)

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

**C1** Sch. 1 para. 8(a) modified (24.4.2009 for certain purposes and otherwise 31.10.2009) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(3), 205, [Sch. 1 para. 13](#)

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