Status: *Point in time view as at 05/04/2004.*
Changes to legislation: *There are currently no known outstanding effects for the Juries Act 1974, SCHEDULE 1. (See end of Document for details)*

SCHEDULES

[F1SCHEDULE 1

MENTALLY DISORDERED PERSONS AND 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)**

PART 1

MENTALLY DISORDERED PERSONS

1 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 similar institution; or

(b) regularly attends for treatment by a medical practitioner.

2 A person for the time being under guardianship under section 7 of the Mental Health Act 1983.

3 A person who, under Part 7 of that Act, has been determined by a judge to be incapable, by reason of mental disorder, of managing and administering his property and affairs.

4 (1) In this Part of this Schedule—

(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 the Mental Health Act 1983.

(2) For the purposes of this Part a person is to be treated as being under guardianship under section 7 of the Mental Health Act 1983 at any time while he is subject to guardianship pursuant to an order under section 116A(2)(b) of the Army Act 1955,

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section 116A(2)(b) of the Air Force Act 1955 or section 63A(2)(b) of the Naval Discipline Act 1957.

PART 2

PERSONS DISQUALIFIED

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 227 or 228 of the Criminal Justice Act 2003 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.**]**

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, 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.

8 For the purposes of this Part of this Schedule—

(a) a sentence passed by a court-martial is to be treated as having been passed in the United Kingdom, and

(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.

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