

Status: Point in time view as at 03/11/2008.

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

SCHEDULES

[^{F1}SCHEDULE 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 [^{F2}mental disorder within the meaning of the Mental Health Act 1983] 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.

Textual Amendments

- F2** Words in [Sch. 1 Pt. 1 para. 1](#) substituted (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), ss. 1, 56, [Sch. 1 para. 18\(2\)](#); [S.I. 2008/1900](#), [art. 2\(a\)](#) (with [art. 3](#))

- 2 A person for the time being under guardianship under section 7 of the Mental Health Act 1983 [^{F3}or subject to a community treatment order under section 17A of that Act].

Textual Amendments

- F3** 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 [^{F4}A person who lacks capacity, within the meaning of the Mental Capacity Act 2005, to serve as a juror.]

Textual Amendments

- F4** 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) ^{F5}
- (2) ^{F6}

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- F5** Sch. 1 para. 4(1) repealed (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), ss. 1, 55, 56, Sch. 1 para. 18(2), [Sch. 11 Pt. 1](#); S.I. 2008/1900, [art. 2\(a\)\(p\)](#) (with art.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)
- F6** Sch. 1 para. 4(2) repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 58(2), 60, [Sch. 11](#); S.I. 2005/579, [art. 3\(i\)\(iv\)](#)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

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

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(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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