



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART III

#### COURSE OF JUSTICE: EVIDENCE, PROCEDURE, ETC.

##### *Juries*

#### 40 Disqualification for jury service of persons on bail in criminal proceedings.

<sup>F1</sup> .....

##### Textual Amendments

<sup>F1</sup> S. 40 repealed (5.4.2004) by [Criminal Justice Act 2003 \(c. 33\)](#), ss. 332, 336, [Sch. 37 Pt. 10](#); S.I. 2004/829, [art. 2\(2\)\(l\)\(iv\)](#) (subject to [art. 2\(3\)-\(6\)](#))

#### 41 Jury service: disabled persons.

After section 9A of the <sup>M1</sup>Juries Act 1974 there shall be inserted the following section—

##### **“9B Discharge of summonses to disabled persons only if incapable of acting effectively as a juror.**

- (1) Where it appears to the appropriate officer, in the case of a person attending in pursuance of a summons under this Act, that on account of physical disability there is doubt as to his capacity to act effectively as a juror, the person may be brought before the judge.

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*Changes to legislation: Criminal Justice and Public Order Act 1994, Cross Heading: Juries is up to date with all changes known to be in force on or before 29 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (2) The judge shall determine whether or not the person should act as a juror; but he shall affirm the summons unless he is of the opinion that the person will not, on account of his disability, be capable of acting effectively as a juror, in which case he shall discharge the summons.
- (3) In this section “the judge” means any judge of the High Court or any Circuit judge or Recorder.”.

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**Marginal Citations**

**M1** 1974 c. 23.

**42 Jury service: excusal on religious grounds.**

**F2** .....

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**Textual Amendments**

**F2** S. 42 repealed (5.4.2004) by Criminal Justice Act 2003 (c. 33), ss. 332, 336, **Sch. 37 Pt. 10**; S.I. 2004/829, **art. 2(2)(I)(iv)** (subject to art. 2(3)-(6))

**43 Separation of jury during consideration of verdict.**

- (1) For section 13 of the <sup>M2</sup>Juries Act 1974 (under which a jury may be allowed to separate at any time before they consider their verdict) there shall be substituted—

**“13 Separation.**

If, on the trial of any person for an offence on indictment, the court thinks fit, it may at any time (whether before or after the jury have been directed to consider their verdict) permit the jury to separate.”.

- (2) The amendment made by subsection (1) above shall not have effect in relation to a trial where a direction to the jury to consider their verdict has been given before the commencement of this section.

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**Marginal Citations**

**M2** 1974 c. 23.

**Changes to legislation:**

Criminal Justice and Public Order Act 1994, Cross Heading: Juries is up to date with all changes known to be in force on or before 29 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)