



INFORMATION SHEET 1

Eligibility for jury service and disqualification from jury service

This information sheet sets out the eligibility criteria for jury service and the categories that disqualify a person from serving as a juror.

Eligibility for jury service

In general terms, a person is eligible for jury service in the Federal Court of Australia if their name is on the jury roll for the relevant jury district for a trial and they are entitled to vote at elections for Members of the House of Representatives.

Eligibility for jury service is dealt with in [section 23DH](#) of the [Federal Court of Australia Act 1976](#).

Disqualification from jury service: professional status

Despite being eligible for jury service, you may be disqualified from serving as a juror because of your professional status. Professional disqualification criteria are set out below.

Federal Court of Australia Act 1976

[Section 23DJ](#) identifies six categories of people who are disqualified from jury service in the Federal Court of Australia:

- the Governor or Administrator of a state or territory
- a judge or judicial officer of a state or territory court
- a member of the Parliament or Legislative Assembly of a state or territory
- a legal practitioner who holds a practising certificate under state or territory law
- a person whose duties or activities are connected with:
 - the investigation or prosecution of criminal offences
 - the administration of justice or
 - the punishment of offenders, and
- a person who is exempt from jury service under a state or territory law on the basis that their current duties or activities are connected with public administration or emergency services.

If you think you may be excluded from jury service under state or territory law on the basis that your current duties or activities are connected with public administration or emergency service you should check the relevant state or territory legislation set out below:

- New South Wales – [Jury Act 1977](#)
- Victoria – [Juries Act 2000](#)
- Queensland – [Jury Act 1995](#)
- Western Australia – [Juries Act 1957](#)
- Tasmania – [Juries Act 2003](#)
- Australian Capital Territory – [Juries Act 1967](#)
- Northern Territory – [Juries Act 1962](#)
- South Australia – [Juries Act 1927](#)

Jury Exemption Act 1965

The [schedule](#) to the [Jury Exemption Act 1965](#) (Cth) identifies nine categories of people who are exempt from jury service in any court in Australia:

- the Governor-General
- members of the Federal Executive Council
- Justices of the High Court and the Commonwealth courts
- Senators
- Members of the House of Representatives
- members of the Fair Work Commission
- members and special members of the Australian Federal Police
- members of the Defence Force other than members of the Reserves
- members of the Reserves who are rendering continuous full-time service.





Jury Exemption Regulations 2019

The [Jury Exemption Regulations 2019](#) (Cth) identifies four categories of Commonwealth employees who are potentially exempt from jury service:

- senior Commonwealth employees (see [Regulation 7](#))
- Commonwealth employees involved in the administration of justice (see [Regulation 8](#))
- Commonwealth employees working on biosecurity etc. (see [Regulation 9](#))
- some Commonwealth employees working for key institutions (see [Regulation 10](#)).

Navigation Act 2012

[Section 89](#) of the [Navigation Act 2012](#) (Cth) provides that a seafarer of a regulated Australian vessel or a foreign vessel is exempt from serving as a juror in any court of Australia.

Disqualification from jury service: criminal history

You will be disqualified from jury service in the Federal Court of Australia if you:

- have been convicted of an offence against a law of the Commonwealth, a state or a territory and sentenced to imprisonment for life, or to serve a term of imprisonment of more than 12 months, as a result of the conviction
- have been convicted of an offence against a law of a foreign country and sentenced to death, imprisonment for life, or to serve a term of imprisonment of more than 12 months, as a result of the conviction
- have been tried for an offence against a law of the Commonwealth, a state, a territory or a foreign country and ordered to be detained for life, or for a period of more than 12 months, in a hospital, juvenile facility or other detention facility, as a result of the trial
- have, within the last 10 years, been convicted of an offence against a law of the Commonwealth, a state, a territory or a foreign country and sentenced to serve a term of imprisonment (including by way of periodic detention), as a result of the conviction
- have been, within the last 10 year, tried for an offence against a law of the Commonwealth, a state, a territory or a foreign country; and ordered to be detained in a hospital, juvenile facility or other detention facility, as a result of the trial

- are currently serving a term of imprisonment (including by way of periodic detention)
- are currently being detained in a hospital, juvenile facility or other detention facility
- are currently subject to an order for periodic home detention or periodic detention in a hospital, juvenile facility or other detention facility
- are currently subject to a good behaviour bond or community service order; or a similar order
- are currently being held in custody for the commission, or suspected commission, of a criminal offence
- are currently on bail for charges against a law of the Commonwealth, a state, a territory or a foreign country.

If you think you may be excluded from jury service on the basis of a criminal background or current proceedings, you should read [section 23DI](#) of the [Federal Court of Australia Act 1976](#) (Cth).

Further information

Visit the Federal Court of Australia website:

<https://www.fedcourt.gov.au/going-to-court/jury>

Alternatively, contact the Sheriff of the Federal Court of Australia via:

- email at sheriff@fedcourt.gov.au, or
- telephone at 0419 420 938