



Criminal Justice Act 1988

1988 CHAPTER 33

PART V

JURISDICTION, IMPRISONMENT, FINES, ETC.

Jurisdiction

39 Common assault and battery to be summary offences.

[^{F1}(1)] Common assault and battery shall be summary offences and a person guilty of either of them shall be liable to a fine not exceeding level 5 on the standard scale, to imprisonment for a term not exceeding six months, or to both.

[^{F2}(2) Subsection (1) is subject to section 1 of the Assaults on Emergency Workers (Offences) Act 2018 (which makes provision for increased sentencing powers for offences of common assault and battery committed against an emergency worker acting in the exercise of functions as such a worker).]

Textual Amendments

- F1** S. 39 renumbered as s. 39(1) (13.11.2018) by [Assaults on Emergency Workers \(Offences\) Act 2018 \(c. 23\)](#), **ss. 1(5), 4(2)** (with s. 1(6))
- F2** S. 39(2) inserted (13.11.2018) by [Assaults on Emergency Workers \(Offences\) Act 2018 \(c. 23\)](#), **ss. 1(5), 4(2)** (with s. 1(6))

Changes to legislation:

Criminal Justice Act 1988, Section 39 is up to date with all changes known to be in force on or before 16 April 2024. 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.

[View outstanding changes](#)

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. 36(2)(b)(v) and word inserted by [2019 c. 17 s. 13\(3\)\(b\)](#)
- s. 36(3A)(3B) substituted for s. 36(3A) by [2008 c. 4 s. 46\(2\)](#)
- s. 41(4A) inserted by [2004 c. 28 Sch. 10 para. 28](#)
- s. 139AZA(1)(a)(iii) and word inserted by [2019 c. 17 s. 13\(4\)\(b\)](#)