



Offences against the Person Act 1861

1861 CHAPTER 100 24 and 25 Vict

Assaults

38 ^{X1}Assault with intent to commit felony, or on peace officers, &c.

Whosoever . . . ^{F1} shall assault any person with intent to resist or prevent the lawful apprehension or detainer of himself or of any other person for any offence, shall be guilty of a misdemeanor, and being convicted thereof shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years, . . . ^{F2}

Editorial Information

X1 Unreliable marginal note

Textual Amendments

F1 Words repealed by [Police Act 1964 \(c. 48\)](#), [Sch. 10 Pt. I](#) and [Criminal Law Act 1967 \(c. 58\)](#), [Sch. 3 Pt. III](#)

F2 Words omitted by virtue of [Criminal Justice Act 1948 \(c. 58\)](#), [s. 1\(2\)](#)

Modifications etc. (not altering text)

C1 Ss. 16, 20, 26, 27, 34, 36, 38, 47, 57, 60 amended as to mode of trial by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 1 para. 5](#)

Changes to legislation:

There are currently no known outstanding effects for the Offences against the Person Act 1861, Section 38.