



Police Act 1996

1996 CHAPTER 16

PART V

MISCELLANEOUS AND GENERAL

Offences

89 Assaults on constables.

- (1) Any person who assaults a constable in the execution of his duty, or a person assisting a constable in the execution of his duty, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.
- (2) Any person who resists or wilfully obstructs a constable in the execution of his duty, or a person assisting a constable in the execution of his duty, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding one month or to a fine not exceeding level 3 on the standard scale, or to both.
- (3) This section also applies to a constable who is a member of [^{F1}the Police Service of Scotland] or Northern Ireland when he is executing a warrant, or otherwise acting in England or Wales, by virtue of any enactment conferring powers on him in England and Wales.
- [^{F2}(4) In this section references to a person assisting a constable in the execution of his duty include references to any person who is neither a constable nor in the company of a constable but who—
 - (a) is a member of an international joint investigation team that is led by a member of a police force ^{F3}...; and
 - (b) is carrying out his functions as a member of that team.
- (5) In this section “international joint investigation team” means any investigation team formed in accordance with—

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- (a) any framework decision on joint investigation teams adopted under [F4 Article 34 of the Treaty on European Union (as it had effect before 1 December 2009) or under Article 87 of the Treaty on the Functioning of the European Union];
 - (b) the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union, and the Protocol to that Convention, established in accordance with that Article of that Treaty; or
 - (c) any international agreement to which the United Kingdom is a party and which is specified for the purposes of this section in an order made by the Secretary of State.
- (6) A statutory instrument containing an order under subsection (5) shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F1** Words in s. 89(3) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(3)**
- F2** S. 89(4)-(6) inserted (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), **ss. 104(1)**, 108(2)-(5); S.I. 2002/2306, **art. 2(f)(xiii)**
- F3** Words in s. 89(4)(a) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), **Sch. 4 para. 81**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**
- F4** Words in s. 89(5) substituted (1.8.2012) by [The Treaty of Lisbon \(Changes in Terminology or Numbering\) Order 2012 \(S.I. 2012/1809\)](#), art. 2(1), **Sch. Pt. 1** (with art. 2(2))

Modifications etc. (not altering text)

- C1** S. 89 modified (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), **ss. 84(1)**, 94(1); S.I. 2004/786, art. 3(1)(2)
- C2** S. 89(1)(2) applied (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **s. 68(1)(3)**; S.I. 2004/1572, art. 3(yy)
- C3** S. 89(1)(2) modified (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), **ss. 68(1)**, 198(2); S.I. 2005/877, art. 2(1), **Sch. 1**

90 Impersonation, etc.

- (1) Any person who with intent to deceive impersonates a member of a police force or special constable, or makes any statement or does any act calculated falsely to suggest that he is such a member or constable, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.
- (2) Any person who, not being a constable, wears any article of police uniform in circumstances where it gives him an appearance so nearly resembling that of a member of a police force as to be calculated to deceive shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) Any person who, not being a member of a police force or special constable, has in his possession any article of police uniform shall, unless he proves that he obtained possession of that article lawfully and has possession of it for a lawful purpose, be guilty of an offence and liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (4) In this section—

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- (a) “article of police uniform” means any article of uniform or any distinctive badge or mark or document of identification usually issued to members of police forces or special constables, or anything having the appearance of such an article, badge, mark or document,
- ^{F5}(ab)
- (b) “special constable” means a special constable appointed for a police area.

Textual Amendments

F5 S. 90(4)(ab) omitted (7.10.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 8 para. 46**; S.I. 2013/1682, art. 3(v)

Modifications etc. (not altering text)

C4 S. 90 applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), s. **68(2)(3)**; S.I. 2004/1572, art. 3(yy)

C5 S. 90 modified (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), ss. **68(2)**, 198(2); S.I. 2005/877, art. 2(1), Sch. 1

91 Causing disaffection.

- (1) Any person who causes, or attempts to cause, or does any act calculated to cause, disaffection amongst the members of any police force, or induces or attempts to induce, or does any act calculated to induce, any member of a police force to withhold his services, shall be guilty of an offence and liable—
- (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

[^{F6}(2) This section applies in the case of—

- (a) special constables appointed for a police area,
 - ^{F7}(aa)
 - (b) members of the Civil Nuclear Constabulary, and
 - (c) members of the British Transport Police Force,
- as it applies in the case of members of a police force.]

[^{F8}(3) Liability under subsection (1) for any behaviour is in addition to any civil liability for that behaviour.]

Textual Amendments

F6 S. 91(2) substituted (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), ss. **68(3)**, 198(2); S.I. 2005/877, art. 2(1), Sch. 1

F7 S. 91(2)(aa) omitted (7.10.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 8 para. 47**; S.I. 2013/1682, art. 3(v)

F8 S. 91(3) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 14 para. 30**; S.I. 2007/709, art. 3(p) (with art. 6)

Modifications etc. (not altering text)

C6 S. 91 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **Sch. 5 para. 4**; S.I. 2004/1572, art. 3(jjj)

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