



# Criminal Justice Act 1988

## 1988 CHAPTER 33

### PART V

#### JURISDICTION, IMPRISONMENT, FINES, ETC.

##### *Jurisdiction*

### 38 Criminal damage etc. as summary offences.

- (1) In subsection (1) of section 22 of the <sup>M1</sup>Magistrates' Courts Act 1980 (under which, where an offence of or related to criminal damage is charged and it appears to a magistrates' court clear that the value involved does not exceed the relevant sum, the court is required to proceed as if the offence charged were triable only summarily) in the second paragraph (which states the relevant sum) for "£400" there shall be substituted "£2,000".
- (2) Subsection (1) above does not apply to an offence charged in respect of an act done before this section comes into force.
- (3) The following subsection shall be inserted after subsection (10) of that section—

“(11) Where—

  - (a) the accused is charged on the same occasion with two or more scheduled offences and it appears to the court that they constitute or form part of a series of two or more offences of the same or a similar character; or
  - (b) the offence charged consists in incitement to commit two or more scheduled offences,

this section shall have effect as if any reference in it to the value involved were a reference to the aggregate of the values involved.”
- (4) Subsection (3) above does not apply where any of the offences are charged in respect of acts done before this section comes into force.

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**Status:** Point in time view as at 01/02/1991.

**Changes to legislation:** Criminal Justice Act 1988, Section 38 is up to date with all changes known to be in force on or before 01 September 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. (See end of Document for details)

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**Marginal Citations**

**M1** 1980 c. 43.

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