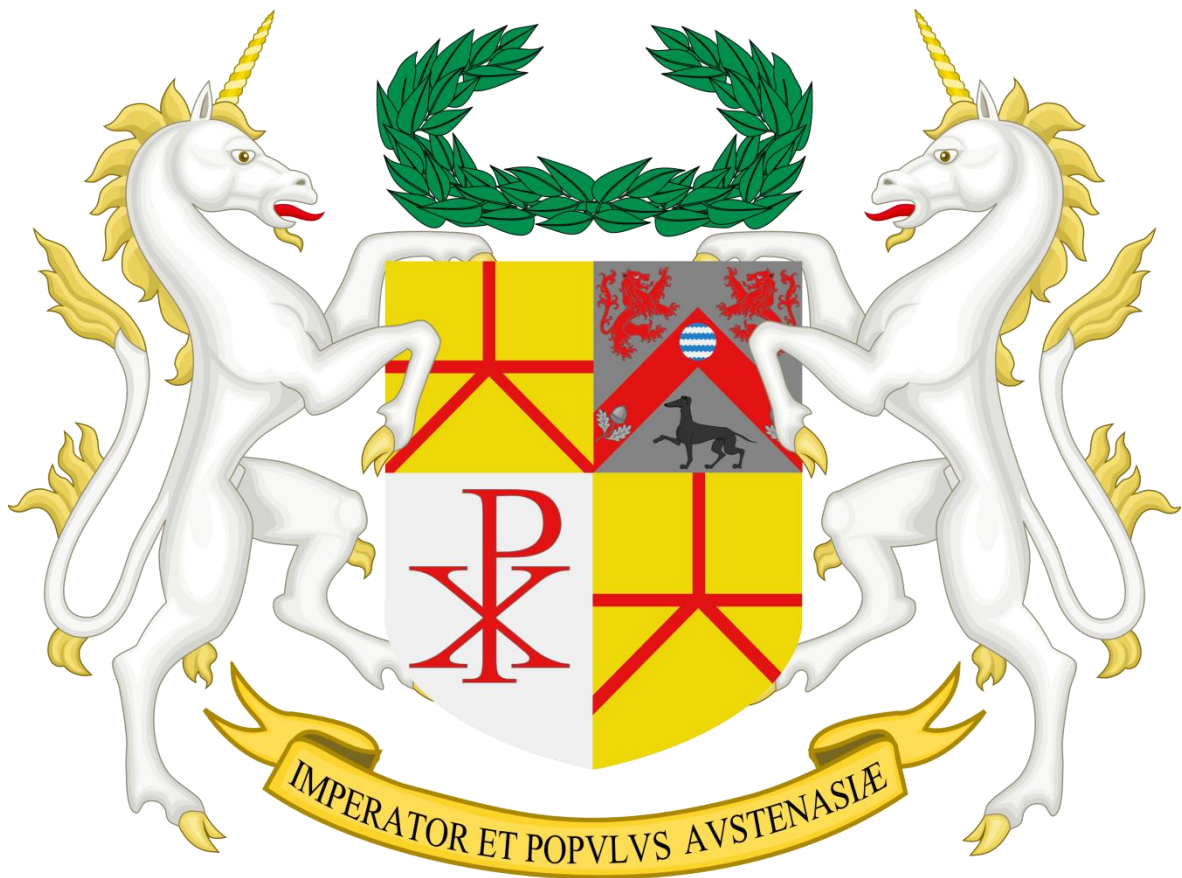


Criminal Code
of the
Empire of Austenasia



Valid as of 2 April 2016

Second Edition

Compiled by His Imperial Majesty the Emperor

Home Office © 2016

The criminal law of Austenasia is not simple. Acts of Parliament, Imperial Decrees and Imperial Edicts can all specify certain deeds as crimes, and make rules which it is a crime to break. Crimes are divided into three tiers: misdemeanours, second-class felonies, and first-class felonies. The majority of misdemeanours are crimes which do not cause any people direct physical harm; the majority of second-class felonies are crimes which do; and the majority of first-class felonies are those which cause death or threaten the peace or stability of the state itself. This is far from an official definition of each tier, however.

When a person is to be tried for a crime, they are tried by a court. Misdemeanours are tried by Town Courts, second-class felonies by High Courts, and first-class felonies by an Imperial Court. Town Courts have as their judge the Representative of that Town, whereas High Courts have as their judge a Representative or Noble of the respective Duchy, appointed by the Monarch. The Imperial Court has the Monarch as its judge.

Courts have as their jury for each trial between two and eleven persons, appointed by the Monarch. For Town Courts and High Courts, they are selected out of residents of the respective Town or Duchy (in case the administrative division in question does not have enough residents deemed impartial, in which case suitable outsiders may also be appointed). The Prime Minister approves jurors appointed to trials in the Imperial Court.

The role of the judge in a trial is to direct when people may speak, adjourn and reconvene proceedings, and announce the verdict of the jury. They are also expected to impart to the jury objective legal information obtaining to the trial at hand, *exempli gratia* relevant laws. The role of the jury is, after having heard all of the evidence and legal arguments from both sides, to vote on whether the defendant (the person accused of a crime) is either innocent or guilty of the charges.

If the defendant is found guilty, their sentence is decided by the two Consuls. The Prime Minister appoints the two Consuls at the start of each year, who are known by Latin names when referred to in regards to their position as such. The two Consuls for 2016 are Mater Imperatoris Margareta (HIH Emperor Mother Margaret) and Avia Imperatoris Iocia (HIH Emperor Grandmother Joyce). The Consuls must agree on a sentence issued; each month, they alternate between the one of them who proposes a sentence and one who has the power to veto it should they not agree.

Sentences given by Consuls are primarily regulated by the Criminal Sentences Act 2012. A sentence must be either a fine (the criminal gives money to the victim and/or the Treasury) or an order of exile (the criminal leaves the Empire and cannot return for a certain amount of time). An additional secondary punishment may be given if it is relevant to the crime; for example, if a person drives a car into a house and is found guilty of vandalism, they may also be forbidden from driving a vehicle for a certain amount of time. In most cases, the Consuls have absolute discretion (in theory; in practice they are expected to punish similar crimes to similar degrees) on the sentences they give, but for some crimes they are forbidden to issue sentences harsher or more lenient than a certain degree. For example, the minimum time of exile for vandalism is one day, and the maximum fine which can be given for grievous bodily harm is £5000. Many minimum and maximum sentences only address one possible punishment, *exempli gratia* a minimum time of exile, so the Consuls can give the alternative punishment to a degree of their choice should there be exceptional circumstances which make the minimum or maximum sentence inappropriate.

People can also be tried for attempted (trying but not succeeding), conspiracy to commit (making an agreement with others to do so) and soliciting (paying another to do so) a crime. This applies to all crimes except High Treason, Treason, and (partially) Regicide, the rules concerning which are under their respective sections below.

“Every interpretation of laws by the Monarch, made in whatever manner, shall be considered valid and unquestioned.”

Based on a 30 October 529 law of Justinian I - Book XIV of the Codex Jonathanus

List of crimes

Property Offences

The following offences relate to ways in which property may be illegally obtained, used or destroyed.

Blackmail

- The most recent definition of this offence, a misdemeanour, is found under Paragraphs 9 and 10 of the Property Offences Act 2013. It is defined as “making any unwarranted demand with menaces with a view to gaining for oneself or another or with intent to cause loss to another.”
- In more simple terms, blackmail is **making an unreasonable demand for property to be transferred to oneself and/or from another, accompanied by a threat to make the victim do so.**
- “Demand” has an obvious meaning, but does not have to be verbal or written; it can be through e-mail, over the phone, or even simply through conduct. Demands do not have to be received for there to be blackmail - *exempli gratia*, a person sending a letter demanding money in exchange for keeping quiet about a secret would be guilty of blackmail from the moment they sent the letter, even if the intended victim did not read or even receive it.
- “Menaces” means a threat made to try to make the victim give in to the demand. It must be of such a nature that most people would be worried by it, unless the nature of the demand is specific to the victim, such as destroying a prized rose unless they give the blackmailer money; most people would not be worried by a threat to destroy a flower, but if the victim planned to take it to a flower show or had some significant sentimental attachment to the plant, then there would be a legitimate menace.
- A demand is not “unwarranted” only if the person making it does so both in the belief that they have reasonable grounds for making the demand and also that the use of the menaces is a proper means of reinforcing the demand. For example, a person would have reasonable grounds for demanding money they are owed, and would have reasonable grounds to threaten the debtor with taking them before a magistrate or refusing further business with them, but threatening to damage the debtor’s car if they do not pay would not be a proper means of reinforcing the demand.

Bribery

- The most recent definition of this offence, a misdemeanour, is found under Paragraph 1, Subsection G of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**giving money or goods to a person to persuade the recipient to do things not consistent with the law or his/her duties.**”
- The definition of this offence is quite easy to understand. The only word which may require further interpretation is “duties” - this would include what is required in a job, what is required by a contract, and the legal and customary duties of care of a parent or guardian to a child.

Importing a prohibited item

- This offence, a misdemeanour, is defined in Paragraph 4 of the Immigration and Border Controls Act 2011 as **bringing “Prohibited items... across the border... into the Empire.”**
- Prohibited items for the purposes of this offence are as follows:
 - Class B drugs.
 - Dangerous animals as listed in the now otherwise repealed Act 69, Law 6 (can be seen at <http://austenasia.webs.com/69.doc>) ownership of which has not been permitted by a license granted by the Representative of the respective Town.
 - Radioactive materials, that is, objects comprised of radioactive isotopes.
 - Tobacco and/or nicotine and products containing such (only within Towns and Territories which have prohibited them in accordance with Paragraph 9 of the Drugs Act 2015).

- Prohibited items found in Austenasia are either destroyed or sent back into the United Kingdom, upon the decision of the Home Secretary.
- The importation of any Class B drug may be legalised in a particular Town or Territory by its respective Town Council or Governor.
- The importation of an illegal drug is not a crime if said drug is imported with the intention of it being provided as a medical treatment as prescribed in writing by two doctors of medicine.

Making off without payment

- This offence, a misdemeanour, is defined in Paragraph 14 of the Property Offences Act 2013 as **“dishonestly making off... without having paid as required or expected and with intent to permanently avoid payment of the amount due.”**
- “Making off” means leaving the scene where payment was required.
- There must have been an intention to permanently avoid payment of the amount due, knowing that payment on the spot for any goods supplied or service done was required or expected. Not realising that payment was required (exempli gratia thinking that only voluntary donations were requested), or an honest intention to return with payment when possible, means that the crime has not been committed.
- The goods supplied or service done must have been lawful (so, for example, the crime cannot be committed by failing to pay for being supplied with an illegal drug), and in the case of a service done it must have been completed.

Nuisance

- This offence, a misdemeanour, is defined in Paragraph 10 of the Property Act 2012 as causing **“a substantial and unreasonable interference with a person’s property or their use or enjoyment of that property.”**
- Said interference must be the result of a continuous activity or continuous state of affairs caused by the person accused of nuisance. The interference must be either wilful (intentional) or reckless (done with the knowledge that there was a risk of it being a nuisance, but going ahead regardless).
- If a nuisance has continued for a period of three years or more without being challenged by the person whose property is interfered with, it shall no longer be considered a nuisance in regards to that person (but may still be considered a nuisance if it affects the property of others in a similar way).
- The interference must be both *substantial* and *unreasonable* to be a nuisance. For example, a neighbour may paint their house a bright neon shade of purple; while this could interfere with a person’s enjoyment of their property by spoiling their view should they not like the colour, it is a merely aesthetic interference and so is not *substantial*. A neighbour may have to perform work on their house which requires loud drilling, which may be a *substantial* interference with a person’s enjoyment of their property but would not be *unreasonable* depending on the time of day it took place. However, playing loud music in the middle of the night, preventing a person sleeping, may be both a *substantial and unreasonable* interference with a person’s enjoyment of their property depending on the circumstances.

Tax evasion

- The most recent definition of this offence, a misdemeanour, is found under Paragraph 1, Subsection J of the Third Imperial Decree of HIM Emperor Declan I. It is defined as **“refusing to give the appropriate sum of money to the Town’s tax collector each month.”**
- This definition was not altered by the Tax Reform Act 2013, which abolished Empire-wide taxes in peacetime. Paragraph 4 of said Act reads as follows: “An Act of Parliament or Imperial Decree may legislate to order the collection of taxes, but only during a state of emergency or while the Empire is at war. The misdemeanour of tax evasion shall from henceforth only apply to such cases.”
- Despite the word “only” being used in said paragraph, Paragraph 10 at the end of the Tax Reform Act 2013 authorises Town Councils to raise taxes in and for their Towns alone. Due to this, together with the phrase “the Town’s tax collector” used in the definition of the offence, the offence of tax evasion would also apply to the refusal to pay taxes issued by a Town Council.
- A person may simply be unable to pay - this would not be “refusing” to do so - in which case they may be permitted by the tax collector to defer payment until the next month, although failure to pay that if able to do so would be tax evasion.

Theft

- The most recent definition of this offence, a misdemeanour, is found under Paragraph 3 of the Property Offences Act 2013. It is defined as **“the dishonest appropriation of property belonging to another with the intention of permanently depriving the other of it”**. This is a definition is analysed in Paragraph 4 of said Act, and will be explored below.
- An “appropriation” is any assumption of the rights of the owner of property. In the case of theft, this would most commonly be the right to possess and transport the property, but could include the right to sell, rent, consume (in regards to food), alter or destroy it.
- For the purposes of theft, “property” is any moveable object, personal property, money, and anything which becomes a moveable object due to the actions of the thief (exempli gratia removing bricks after knocking down a wall or taking wood after chopping down a tree). Plants or fungi growing wild are not property for the purposes of theft unless they are taken from private land with the intention of selling them, but cultivated plants and fungi are.
- For the purposes of theft, property is “belonging to another” if another person has possession or legal ownership of it. If a person is given property by another to deal with it in a certain way (exempli gratia given money to take to a bank) and deals with it in a different way, the property is regarded as belonging to that other even though the first person has possession of it.
- For the purposes of theft, an action is regarded as “dishonest” if it is dishonest according to the ordinary standards of reasonable and honest people and if the person who undertook the action realised that what they were doing was dishonest by those standards. A person appropriating property is not considered dishonest if they: a) believed that they had the right in law to deprive the other of it; b) believed they would have the other’s consent if the other knew of the appropriation; and/or c) the person to whom the property belonged could not be discovered by taking reasonable steps.
- A thief must have the intention to permanently deprive the other of the property they appropriate; an intention to simply borrow it, even without consent, is not enough, unless the property is returned in a useless state (exempli gratia returning food after it has expired, or returning a book after an exam revision for which it was solely required for).

Trespassing

- This offence is a misdemeanour. It is defined under Paragraph 7 of the Property Offences Act 2013 as **“Knowingly entering a private property or part of a private property without the express or implicit permission of the owner or a person entrusted by the owner with that responsibility”**. Paragraph 1, Subsection B of the Fourth Imperial Decree of HIM Emperor Declan I adds **entering “land which is Crown Property without the permission of one of its Crown Stewards”** to the definition.
- If a person does not realise that they are entering property without the permission of the owner, then it is not trespassing.
- Even if a person has been given permission to enter a property, they may not have permission to enter a certain part of it (exempli gratia, customers have permission to be in a shop which is open for business, but likely would not have permission to go into the living area of the shopkeeper); doing so could therefore be trespassing.

Vandalism

- The most recent definition of this offence, a misdemeanour, is found under Paragraph 15 of the Property Offences Act 2013. It is defined as **“destroying or damaging without lawful excuse any property belonging to another.”**
- Destroying is where an item of property is made useless. Damaging includes this, but can also include defacing it or causing any physical change to it which decreases its value and/or makes it harder to use; “damage” is a word which can be expected to be understood without any precise legal definition.
- The damage can be intentional, but can also be reckless, that is, the result of an action done with the knowledge that there was a risk of it causing damage, but going ahead regardless.
- If someone honestly believed they were destroying or damaging their own property when it actually belonged to somebody else, they are not guilty of vandalism.
- A “lawful excuse” is either honestly believing that the owner of the property would have consented to the vandalism, and/or a belief that the vandalism was necessary in the circumstances to prevent harm to protect a person from harm or to prevent further damage (exempli gratia kicking down a door to defend a person believed to be being attacked, or chopping down a tree to stop a fire spreading to a house).

Decree XXI Jon. I specified that “breaking into a vehicle to rescue a person or pet which has been left inside in what would reasonably be considered hot conditions” was an example of a lawful excuse for vandalism.

Aggravated vandalism

- This offence, a second-class felony, is defined in Paragraph 17 of the Property Offences Act 2013 as “**vandalism which endangers the life of another**”, or as “**destroying or damaging one’s own property in such a way as to endanger the life of another, committed with recklessness as to whether the life of another would be endangered as a result**”.
- Aggravated vandalism is therefore vandalism (see above) which results in a threat to somebody’s life, exempli gratia damaging someone’s car in such a way that it might crash or explode.
- Unlike vandalism, aggravated vandalism can also be committed on one’s own property.
- Aggravated vandalism must be committed with recklessness; that is, done with the knowledge that there was a risk of it endangering life, but going ahead regardless. If it was done with the intention to endanger life then it would be attempted murder (see below).

Armed robbery

- The most recent definition of this offence, a second-class felony, is found under Paragraph 6 of the Property Offences Act 2013. It is defined as “**Robbery in which the use or threat of force is achieved by the wielding of a weapon.**”
- For armed robbery, there must have been a completed robbery (see above).
- For the purposes of armed robbery, a “weapon” is defined as a blade, firearm, or any potentially dangerous object which is held in such a way as to knowingly give the impression that it is capable of causing harm.

Arson

- The most recent definition of this offence, a second-class felony, is found under Paragraph 20 of the Property Offences Act 2013. It is defined as “**committing vandalism by means of fire**”.
- For arson, there must have been a completed vandalism (see above), with the damage in question caused by fire.

Fraud

- The most recent definition of this offence, a second-class felony, is found under Paragraph 11 of the Property Offences Act 2013. It can be committed either *by false representation* or *by obtaining services dishonestly*.
- *Fraud by false representation* is defined as “**dishonestly making a false representation with the intention to make a gain for oneself or another, to cause loss to another, and/or expose another to the risk of loss**”.
 - A “representation” can be any claim, statement or assertion made to any person or machine.
 - A representation is “false” if the person making it knows that it is untrue or misleading, exempli gratia giving a false age, or wearing a uniform of a workplace they are not employed at.
- *Fraud by obtaining services dishonestly* is defined as “**obtaining... by a dishonest act**” “**services... made available on the basis that payment has been or will be made... without any payment having been made**”, “**by a person who knows that they are being made available on the basis that payment has been or will be made for**” them.
 - The services must have been gained by a dishonest act. Here, the term “dishonest” is defined in the same way that it is in regards to theft (see above).
 - Payment for the services must have been avoided or not paid in full.
 - The person committing the crime must intent to not pay or to not pay in full for the services obtained.

Importing a banned item

- This offence, a second-class felony, is defined in Paragraph 5 of the Immigration and Border Controls Act 2011 as **bringing “Banned items... across the border... into the Empire.”**
- Banned items are as follows:
 - Child pornography
 - Class A drugs.
 - Nuclear weapons.
 - Palm and/or palm kernel oil.
 - Pornographic material, in the Imperial Residence only (added to the list of banned items by the Third Imperial Edict of HIM Emperor Jonathan I).
- Banned items found in Austenasia are seized by the Austenasian Police and destroyed. In the case of a nuclear weapon somehow entering the Empire, it is unclear how this would be done; most likely it would, after being seized, be handed over to the authorities of the state from which it was imported on the understanding that it would be destroyed by them.
- Importation of an illegal drug is not a crime if said drug is imported with the intention of it being provided as a medical treatment as prescribed in writing by two doctors of medicine.
- Importation of palm oil into a Town is not a crime if it is for medicinal reasons and authorised by the Town’s Representative.

Robbery

- The most recent definition of this offence, a second-class felony, is found under Paragraph 5 of the Property Offences Act 2013. It is defined as **“theft aggravated by the use or threat of force”**.
- For robbery, there must have been a completed theft (see above). A person has committed robbery if they commit theft and immediately before or at the time of doing so they use or threaten to use force on any person, or they put or seek to put any person in fear of being then and there subjected to force.
- The force must be in order to complete the theft, exempli gratia threatening to hurt somebody if they do not hand over money, or pushing somebody to the ground to escape the scene of the theft.

Sacrilege (against property)

- This offence, a second-class felony, is defined by laws in Book XI of the Codex Jonathanus based on a 27 February 240 law of Gordian III and a 26 April 398 law of Arcadius and Honorius. It is defined as **to “knowingly seize, buy or sell property destined for, or already devoted to, religious purposes”**, and can also be committed by **“damaging” a “church building”**.
- In accordance with the context of these laws, it is no offence for a religious institution to sell its own property in accordance with its own regulations and customs; rather this offence applies to somebody buying or selling property stolen from a religious institution.

Burglary

- The most recent definition of this offence is found under Paragraph 8 of the Property Offences Act 2013. It can be committed in two ways: the first is by **“trespassing inside a building with the intent to commit another crime”**, and the second is by **“committing theft, robbery, armed robbery, common assault, actual bodily harm, grievous bodily harm and/or grievous bodily harm with intent while trespassing inside a building.”** Burglary is a second-class felony unless it is committed by committing grievous bodily harm with intent while trespassing, in which case it is a first-class felony.
- Due to the two ways in which burglary can be committed, there can be burglary by committing theft having trespassed even if there was no intention to commit theft when first trespassing. However, if a person commits vandalism (or any other crime not listed in the second definition) while trespassing but there was no intention to commit vandalism when first trespassing, then there is no burglary but two separate offences of vandalism and trespassing.
- For burglary, there must have been a completed trespassing, and for its second definition there must have been a completed one of the offences listed. If there is a completed trespassing but the trespasser only attempts to commit (for example) actual bodily harm having had no intention to commit it when first trespassing, then there is no burglary but the two separate offences of trespassing and attempted actual bodily harm.

- For burglary, the trespassing must have been inside a building. A building is a permanent or semi-permanent structure with a roof and walls.

Aggravated arson

- This offence, a first-class felony, is defined in Paragraph 20 of the Property Offences Act 2013 as “**committing aggravated vandalism by means of fire**”.
- For aggravated arson, there must have been a completed aggravated vandalism (see above), with the damage in question caused by fire.

Offences against the person

The following offences relate to crimes the main feature of which is harming another person.

Bigamy

- This offence, a misdemeanour, is defined in Decree XXII Jon. I as “**going through a ceremony of marriage with a person while already married to another.**”
- A bigamous marriage is not considered legally valid; it is therefore not being wed whilst already married which is illegal, as such is technically impossible, but rather going through the ceremony of such.
- This offence is, for the purpose of this criminal code, classified as an offence against the person due to the emotional harm it is liable to cause.

Common assault

- This offence, a misdemeanour, is defined in Paragraphs 3-5 of the Offences Against the Person Act 2013. It consists of assault and battery - both misdemeanours on their own - committed together.
- Assault is defined as **causing “another person to fear the infliction of imminent and unlawful force”**. There does not have to actually be force for assault on its own, so long as the victim feared it. Assault can be either intentional or it can be reckless, that is, the result of an action done with the knowledge that there was a risk of it causing someone to fear harm, but going ahead regardless.
- Battery is defined as **applying “unlawful force to another person, or” causing “through the creation of a dangerous situation force to be applied to another person.”** The victim does not have to fear the force or even realise it has been applied.
- Assault and battery are separate crimes, both misdemeanours, which can be committed and punished separately. However, when they take place together, as is often the case, the single crime of common assault is committed.
- “Unlawful force” is any amount of force applied to a human without their express or implied consent, outside of accepted social norms (such as tapping someone on the shoulder to attract their attention) and not in the process of self-defence or the prevention of crime.
- Assault against a priest inside a church is the second-class felony of sacrilege (see below).
- Consent or an honest belief in consent makes assault, battery and common assault legal.

Actual bodily harm

- This offence, a second-class felony, is defined in Paragraph 7 of the Offences Against the Person Act 2013 as “**assault, battery, or common assault which results in any injury, hurt or damage to the mind or to any part of the body which is not so trivial as to be effectively without significance.**”
- Whether or not an injury, hurt or damage is “so trivial as to be effectively without significance” is decided on a case-to-case basis.
- Consent makes actual bodily harm not illegal if carried out in the context of surgery, properly conducted games or sports, private activities between partners, tattooing or body piercings.

Child cruelty

- The most recent definition of this offence, a second-class felony, is found under Paragraph 2, Subsection F of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**performing an action with the deliberate and sole intent of causing pain or discomfort to a**” child.
- The action in question must have had as its sole and deliberate purpose the infliction of pain or discomfort to a child. Accordingly, a light smack as punishment would not be child cruelty as causing pain or discomfort, although deliberate, was not the sole intent of an action intended as a corrective measure (although if mental or physical injury was caused this would be illegal and punished as actual bodily harm).
- For the purposes of child cruelty, a child is a person under 16 years old, or under 18 years if in the care of the accused.

False imprisonment

- The most recent definition of this offence, a second-class felony, is found under Paragraph 2, Subsection M of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**forcibly confining a person with no legal right or authority to do so.**”
- While there is little provision under existing Austenasian law to do so, forcibly confining a person in accordance with legislation would not be false imprisonment. Three examples of where forcibly confining a person would not be false imprisonment would be a parent confining a misbehaving child to their room, the Austenasian Police confining a suspected criminal to question or try them, and the Austenasian Armed Forces detaining an enemy combatant during time of war.
- Consent makes confinement or restraint legal.

Grievous bodily harm

- This offence, a second-class felony, is defined in Paragraph 9 of the Offences Against the Person Act 2013 as “**unlawfully inflict[ing] any wound or really serious injury, hurt or damage to the mind or to any part of the body with the intention to cause some injury or being reckless as to whether serious injury was inflicted.**”
- A person who commits grievous bodily harm must either have intended to cause some injury - not necessarily really serious injury - or have been reckless as to whether serious injury was inflicted, that is, going ahead with an action in the knowledge that there was a risk it could inflict serious injury.
- A “wound” is defined as a cut in the skin deep enough to allow blood to escape. Whether or not an injury, hurt or damage is “really serious” is decided on a case-by-case basis.
- Consent makes grievous bodily harm not illegal if carried out in the context of surgery, properly conducted games or sports, private activities between partners, tattooing or body piercings. For the purposes of surgery, a person is considered to be capable of giving consent at the age of 14 years; conducting surgery on a person under 14 years of age or without their consent, if it is not medically necessary, is grievous bodily harm or possibly grievous bodily harm with intent (see below) depending on the circumstances.

Kidnapping

- The most recent definition of this offence, a second-class felony, is found under Paragraph 2, Subsection N of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**taking a person to a location without the consent of that person and with no legal right or authority to do so.**”
- While there is little provision under existing Austenasian law to do so, taking a person to a location without their consent in accordance with legislation would not be kidnapping. Examples of where doing so would not be kidnapping would be where the Austenasian Police transfer an arrested criminal to court or an exiled criminal to outside the Empire.

Rioting

- This offence, a second-class felony, is defined in Paragraph 2, Subsection I of the Third Imperial Decree of HIM Emperor Declan I as “**being part of a disorderly crowd of over five people which use or threaten unlawful violence for a common purpose.**”
- Whether or not a crowd is disorderly and whether or not a person is part of it is decided by the evidence available.

- A person can be guilty of rioting as well as of a violent crime such as actual bodily harm if it was said violent crimes which constituted the “unlawful violence” in which the disorderly crowd partook.
- “Unlawful violence” does not have to be violence against people, but can include violent conduct such as throwing a brick to break a window.

Sacrilege (against persons)

- This offence, a second-class felony, is defined by laws in Book XI of the Codex Jonathanus based on a 26 April 398 law of Arcadius and Honorius and a 1 April 409 law of Honorius and Theodosius II. It is defined as “**going into any church and assaulting the priest or disrupting the religious service**” or by **abducting “those who take refuge in a place of worship”**.
- Conduct must be disruptive to the extent that an ongoing religious service is made to stop to qualify as “disrupting the religious service”.
- Assault against a priest outside of a church building is common assault (see above).

Violent disorder

- This offence, a second-class felony, is defined in Paragraph 2, Subsection P of the Third Imperial Decree of HIM Emperor Declan I as “**being part of a disorderly crowd of between two and five people which use or threaten unlawful violence for a common purpose.**”
- Whether or not a crowd is disorderly and whether or not a person is part of it is decided by the evidence available.
- A person can be guilty of violent disorder as well as of a violent crime such as actual bodily harm if it was said violent crimes which constituted the “unlawful violence” in which the disorderly crowd partook.
- “Unlawful violence” does not have to be violence against people, but can include violent conduct such as throwing a brick to break a window.

Grievous bodily harm with intent

- This offence, a first-class felony, is defined in Paragraph 11 of the Offences Against the Person Act 2013 as “**unlawfully inflict[ing] any wound or really serious injury, hurt or damage to the mind or to any part of the body with the intention to cause serious injury or resist lawful arrest.**”
- A person who commits grievous bodily harm with intent must have intended to cause serious injury or resist arrest.
- A “wound” is defined as a cut in the skin deep enough to allow blood to escape. Whether or not an injury, hurt or damage is “really serious” is decided on a case-by-case basis.

Involuntary manslaughter

- The most recent definition of this offence, a first-class felony, is found under Paragraph 15 of the Offences Against the Person Act 2013. It is defined as “**the unlawful killing of a homo sapiens... caused by committing another crime which had a risk of doing some harm or by negligence which showed great disregard for the life and safety of others, but with no intention to kill or to cause serious harm to others.**”
- The “unlawful killing of a homo sapiens” is committing an action (or a failure to act when one has a duty to do so) which is an effective and more than a minimal cause of the death of another person. “Homo sapiens” in this particular context does not include an unborn foetus less than 20 weeks from conception, or a person with total necrosis of the cerebral neurons following loss of brain oxygenation (more commonly referred to as brain death).
- Involuntary manslaughter can be committed by committing another crime which had a risk of doing some harm and resulted in a death - for example, dumping poisonous chemicals into a river would be environmental damage (see below), but if somebody drinks from the river and then dies it would be involuntary manslaughter.
- Involuntary manslaughter can also be committed by negligence which showed great disregard for the life or safety of others but with no intention to kill or cause serious harm; for example, a doctor whose actions inadvertently resulted in the death of a patient, *exempli gratia* though making a basic mistake in the dosage of a drug or failing to properly attach a patient’s oxygen mask, may be guilty of involuntary manslaughter should a sufficient degree of negligence be demonstrated in the circumstances.

Murder

- The most recent definition of this offence, a first-class felony, is found under Paragraph 3 of the Homicide Act 2012. It is defined as “**the unlawful killing of a homo sapiens**”, and is categorised as either *first-degree murder* or *second-degree murder*.
- For *first-degree murder*, there must be “**intention either to kill or to cause serious bodily harm while being aware that there was a considerable risk of death.**” For *second-degree murder*, there must only be “**intention to cause serious bodily harm while being unaware that there was a considerable risk of death.**”
- The “unlawful killing of a homo sapiens” is committing an action (or a failure to act when one has a duty to do so) which is an effective and more than a minimal cause of the death of another person. “Homo sapiens” in this particular context does not include an unborn foetus less than 20 weeks from conception, or a person with total necrosis of the cerebral neurons following loss of brain oxygenation (more commonly referred to as brain death).
- If a person tried for murder successfully pleads a defence of duress, insanity, necessity or self-defence then they are found guilty of voluntary manslaughter (see above) instead.

Voluntary manslaughter

- This offence, a first-class felony, is defined in Paragraph 6 of the Homicide Act 2012 as “**the unlawful killing of a homo sapiens with no intent to kill prior to the immediate circumstances, with the intent brought on by a loss of self-control caused by a reasonable fear of serious violence or... a justifiable sense of being seriously wronged.**”
- If a person tried for murder (see below) successfully pleads a defence of duress, insanity, necessity or self-defence then they are found guilty of voluntary manslaughter instead.
- The “unlawful killing of a homo sapiens” is committing an action (or a failure to act when one has a duty to do so) which is an effective and more than a minimal cause of the death of another person. “Homo sapiens” in this particular context does not include an unborn foetus less than 20 weeks from conception, or a person with total necrosis of the cerebral neurons following loss of brain oxygenation (more commonly referred to as brain death).
- For voluntary manslaughter, there must have been no intention to kill before the immediate circumstances, but intention brought on by a loss of self-control.
- The loss of self-control must have been caused either by a reasonable fear of serious violence, or something said and/or done “which constituted circumstances of an extremely grave character and caused the person who lost self-control to have a justifiable sense of being seriously wronged.” Belief of the defendant that there was a threat of serious violence or that they had been seriously wronged must be “reasonable” or “justifiable” respectively - a conclusion made while drunk, for example, may therefore not be valid.

“High” crimes

The following offences relate to crimes which either directly threaten the state or violate international law to which the Empire is bound.

Crime against the United Nations

- This offence, a first-class felony, was made illegal upon the ratification of the Convention on the Safety of United Nations and Associated Personnel by Paragraph 7, Subsection E of the Treaties Act 2012.
- Said convention, which can be found at <http://www.un.org/law/cod/safety.htm>, lists what is defined as such under Article 9.

Genocide

- This offence, a first-class felony, was made illegal upon the ratification of the Convention on the Prevention and Punishment of the Crime of Genocide by Paragraph 7, Subsection C of the Treaties Act 2012. It is defined under said convention as “**acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group**”.

- The text of the Convention on the Prevention and Punishment of the Crime of Genocide can be found on the page of the same name at <http://en.wikisource.org/>. Articles 1-4 of the Convention are those most relevant in regards to the definition of genocide.

High Treason

- The most recent definition of this offence, a first-class felony, is found under Paragraph 4 of the Treason Act 2015. It is defined as:
 - **“Unlawfully depriving the Monarch of the free and effective exercise of the rights, responsibilities, duties and powers of the Throne and/or the general recognition of their holding of such”;**
 - **“Unlawfully disturbing or interrupting the Monarch’s free and effective exercise of the rights, responsibilities, duties and powers of the Throne and/or the general recognition of their holding of such”;**
 - a. **“Impeding the lawful succession of the free and effective exercise of the rights, responsibilities, duties and powers of the Throne to their legal recipient after the death or abdication of a Monarch”;** and/or
 - **“Harming, wounding, maiming, injuring, or unlawfully imprisoning and/or restraining the Monarch, their consort or officially acknowledged unmarried partner, or a member of the Imperial Family”.**
- The Imperial Family consists of the Monarch, their descendants and siblings and their descendants, their living ancestors, and the spouses of all the aforementioned. As of 18 March 2016, then, the Imperial Family proper consists of HIM Emperor Jonathan I, HIH Crown Princess Caroline, HIH Emperor Father Terry, HIH Emperor Mother Margaret, and HIH Emperor Grandmother Joyce.
- The “officially acknowledged unmarried partner” of the Monarch is the individual to whom, if any, the Monarch has granted the title and style of “HH Princess Consort *Forename*” or “HH Prince Consort *Forename*” in accordance with Article IV, Section B, Paragraph C of the Austenian Constitution of 2011.
- In regards to harming, wounding or injuring the Monarch, their consort or officially acknowledged married partner, or a member of the Imperial Family, the same rules apply in regards to consent as apply for actual bodily harm etc.; that is, consent makes it not illegal if carried out in the context of surgery, properly conducted games or sports, private activities between partners, tattooing or body piercings. Maiming, on the other hand, implies an injury serious enough that consent cannot be used to justify it. Restraint is unlawful if not consensual.
- Nobody shall be tried for attempted high treason, soliciting high treason, or conspiracy to commit high treason - all of these are considered high treason themselves. Attempted regicide (see below) against the Austenian Monarch, also, is to be tried as high treason.

Laesa maiestas

- This offence, a first-class felony, is defined in Paragraph 7 of the Treason Act 2015. It can be committed by:
 - **“Publishing, declaring or announcing that the Monarch is a tyrant and/or usurper”;**
 - **“infringing upon the sacrosanctity and inviolability of the person of the Monarch”;**
 - **“Using or forging the signature, seal, or cipher of the Monarch (or an appointed Lord Regent, Regent, or Counsellor of State) in such a way that would otherwise have been fraud”;** and/or
 - **“Destroying, stealing, or committing criminal damage or arson to any item of the Imperial Regalia.”**
- In accordance with Paragraph 8 of the Treason Act 2015, the Monarch reviews all cases of laesa maiestas before they go to trial and can choose to pardon anybody arrested for said crime. Somebody pardoned for laesa maiestas is released from arrest (unless also under arrest for another crime or crimes), and is not regarded as ever having been arrested for the crime in the first place.
- “Publishing, declaring or announcing” includes making written declarations and posts online.
- The “sacrosanctity and inviolability” of the Monarch is defined in Paragraph 9 of the Definitions and Interpretations Act 2012 as “not to be touched without permission, to be treated with the utmost respect and deference”. It would in almost all cases be the prerogative of the Monarch to decide on whether or not this was breached.

- If the Monarch pardons somebody for the third means by which laesa maiestas can be committed, they shall not be tried for the action as fraud; however, even if somebody is pardoned for the fourth means by which it can be committed, the action would still be tried, albeit as criminal damage, arson, theft, etc.
- The Imperial Regalia consist of the Imperial Diadem, the Imperial Sceptre, the Imperial Robes, and the Imperial Chain.

Regicide

- The most recent definition of this offence, a first-class felony, is found under Paragraph 3 of the Treason Act 2015. It is defined as **“when what would otherwise be murder (first-degree or second-degree) or voluntary manslaughter directly results in the death either of the Austenasian Monarch or of a sovereign monarch of another nation who is in Austenasia and afforded sovereign immunity”**.
- Soliciting, attempting, or conspiring to commit regicide against the Austenasian Monarch is to be tried as high treason (see above).
- In the case of a non-Austenasian monarch, they must have been afforded sovereign immunity for their killing to be considered regicide, that is, be head of state of a country recognised by Austenasia (see Paragraph 11 of the Foreign Affairs Act 2014).

Treason

- The most recent definition of this offence, a first-class felony, is found under Paragraph 6 of the Treason Act 2015. It is defined as:
 - **“Encouraging the invasion of Austenasia by a foreign power”**;
 - **“Waging war or inciting violent insurrection against the constitutional government of the Empire”**;
 - **“Harming, wounding, maiming, injuring, or unlawfully imprisoning and/or restraining the Prime Minister, a Caesar or Augusta, or an appointed Lord Regent, Regent, or Counsellor of State”**;
 - **“Impeding the free and effective exercise of the lawful rights, responsibilities, duties or powers of the Prime Minister or an appointed Lord Regent, Regent, or Counsellor of State”**;
 - **“Committing an action with the intent of damaging the national security of the Empire”**;
 - **“Providing non-humanitarian aid (whether this be financial, military, or informational in nature) to a group or government waging war against the Empire, either with the intention of aiding them to the detriment of the Empire or with recklessness as to whether such would happen”**; and/or
 - **“Soliciting, attempting, or conspiring to commit treason” in any of the aforementioned ways.**
- In regards to “encouraging” invasion or “inciting” violent insurrection, the intended result does not have to have been reached. The traitor need simply to have intended to cause invasion or insurrection and have explicitly encouraged/incited it. The same applies to “committing an action with the intent of damaging the national security of the Empire” - national security need not have actually been damaged, but the traitor must have had that as their goal and made an attempt to achieve it.
- In regards to harming, wounding or injuring the Prime Minister, a Caesar or Augusta, or an appointed Lord Regent, Regent, or Counsellor of State, the same rules apply in regards to consent as apply for actual bodily harm etc.; that is, consent makes it not illegal if carried out in the context of surgery, properly conducted games or sports, private activities between partners, tattooing or body piercings. Maiming, on the other hand, implies an injury serious enough that consent cannot be used to justify it. Restraint is unlawful if not consensual.
- Nobody shall be tried for attempted treason, soliciting treason, or conspiracy to commit treason - all of these are considered treason themselves.

Green crimes

The following offences relate to crimes against the non-human environment.

Animal cruelty

- The most recent definition of this offence, a misdemeanour, is found under Paragraph 1, Subsection C of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**performing an action with the deliberate and sole intent of causing pain or discomfort to an animal.**”
- The action in question must have had as its sole and deliberate purpose the infliction of pain or discomfort to an animal. Accordingly, using a “choke chain” while training a dog would not be animal cruelty as causing pain or discomfort, although deliberate, was not the sole intent of an action intended as a corrective measure. If, however, the pain or discomfort was disproportionately high for the stated intent, it may be interpreted as having itself been the sole purpose.
- Paragraph 7 of the Criminal Sentences Act 2012 defines an “animal” for the purposes of animal cruelty as “members of the Subphylum Vertebrata, not including homo sapiens”, despite this covering a minority of organisms which are taxonomically classified as animals.

Environmental damage

- The most recent definition of this offence, a misdemeanour, is found under Paragraph 2 of the Environmental Protection Act 2012. It is defined as “**undertaking actions or activities which cause - or, by continuing, are likely to cause - damage to the natural environment... or a threat to human health.**”
- “Damage to the natural environment” is defined as killing or harming any plants or animals found in the area to the degree that the capacity of the species of said organism to survive and reproduce in the respective area is substantially diminished, and/or releasing any substance into the environment which is not biodegradable and/or poses a threat to the health of living organisms.

Sexual offences

The following offences relate to crimes concerning or related to sexual acts.

Adultery

- This offence, a misdemeanour, is defined in Decree XXII Jon. I as “**having sexual relations with a person while married to another.**”
- “Sexual relations” is a relatively vague term which a jury can be expected to understand and apply as appropriate.

Engaging in sexual acts within the Imperial Quarters

- This offence, a misdemeanour, is defined in Paragraph 3 of the Third Imperial Edict of HIM Emperor Jonathan I simply as “**engaging in sexual acts within the Imperial Quarters.**”
- The Imperial Quarters is the name given to the room in the Imperial Residence inhabited by the Emperor. This is only an offence within said room.
- “Sexual acts” is a vague term with several definitions, but can be interpreted as covering any overt physical expression of human sexuality.

Indecent exposure

- This offence, a misdemeanour, is defined by Paragraph 5 of the Sexual Offences Act 2015 as “**the deliberate exposure - either on public property, to the general public, and/or to a child or children - of the genitals or female breasts, with the intent to cause shock to (or in the knowledge that doing such would be likely to cause shock to) those likely to see them.**”

- This offence requires that the culprit intends to cause shock to those likely to see them, or realises that they may cause shock but go ahead regardless.
- Exposure to an individual on private property, regardless of whether or not it causes shock or is intended to do so, would not be tried as indecent exposure but may be considered sexual harassment.

Sexual harassment

- This offence, a misdemeanour, is defined by Paragraph 6 of the Sexual Offences Act 2015, and can be committed by:
 - “**constantly harassing somebody in order to obtain favours of a sexual nature without a reasonable belief that said advances are unwanted**” and/or
 - “**unwanted conduct of a sexual nature**” with “**the purpose or effect of violating a person’s dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them.**”
- In regards to the first means by which this offence can be committed, an unsuccessful attempt to woo or court somebody would not be regarded as sexual harassment unless and until the recipient of the advances makes it clear enough that most people would understand that said advances are unwanted. In some cases, behaviour may be such that a reasonable belief can be held that it is unwanted despite no overt or implicit protest being made against it.
- In regards to the second means by which this offence can be committed, said conduct can be continuous or - if one could have reasonably known that it was unwanted - have happened on a sole occasion.

Viewing or distribution of pornography within the Imperial Residence

- This offence, a misdemeanour, is defined in Paragraph 3 of the Third Imperial Edict of HIM Emperor Jonathan I simply as “**the intentional viewing or distribution of pornography within the Imperial Residence**”.
- The Imperial Residence consists of the house at 1 Imperial Road/312 Green Wrythe Lane, and the adjacent driveway and back patio. This is only an offence within said property.
- “Pornography” is any pictorial or video media produced with the intention to cause sexual arousal.

Child abuse

- This offence, a second-class felony, is defined in Paragraph 7, Subsection J of the Parents, Guardians and Children Act 2014 as **the “inducement or coercion of a child to engage in sexual activity.”**
- The majority of scenarios which would fulfil this definition could instead be tried as sexual assault or rape (see below). However, this offence exists so as to criminalise all sexual activity with children, not simply that which can be defined only as “contact” or “intercourse”.

Criminal transmission of a sexual disease

- This offence, a second-class felony, is defined in Paragraph 4 of the Sexual Offences Act 2015 as “**infesting somebody with a sexually transmitted disease either intentionally or through recklessness as to whether such would occur in the knowledge that it could.**”
- A “sexually transmitted disease” does not include all illnesses or infections which can be passed on through sexual relations; for example, the common cold may be caught due to intimacy with an infected person, but would not be considered a sexually transmitted disease for the purposes of this offence. Rather the term refers to those infections and illnesses for which sexual contact is the primary vector of their transmission.

Gross indecency

- This offence, a second-class felony, is defined in Paragraph 7 of the Sexual Offences Act 2015 as “**conduct of a sexual nature which is... a gross violation of morality**” but “**not specifically illegal in accordance with Paragraphs 2-6 of**” the Sexual Offences Act 2015.
- Paragraphs 2-6 of the Sexual Offences Act 2015 cover rape, sexual assault, criminal transmission of a sexual disease, indecent exposure, and sexual harassment. While offences such as child abuse could

therefore theoretically be tried as this offence, the purpose behind creating this offence was to criminalise acts such as bestiality which for modesty's sake were not listed in the legislation.

- What constitutes “a gross violation of morality” is somewhat subjective, but can be defined as something which the vast majority of people would be morally outraged and repulsed at.

Possession, production or sale of child pornography

- This offence, a second-class felony, is defined in Paragraph 7, Subsection K of the Parents, Guardians and Children Act 2014 simply as **the “Possession, production or sale” of child pornography.**
- Child pornography is any media produced with the intention to cause sexual arousal in which children are featured.
- “Possession” can include having the material on one's person, as well as knowingly storing it in one's property.

Sexual assault

- The most recent definition of this offence, a second-class felony, is found under Paragraph 3 of the Sexual Offences Act 2015. It is defined as **“having non-penetrative sexual contact with somebody without their consent and/or with somebody less than sixteen years of age.”**
- “Consent” for the purposes of sexual assault is defined in Paragraph 6 of the Definitions and Interpretations Act 2012 as “explicit permission, or permission implied to the degree that the average person could reasonably presume permission to have been given - such permission cannot be given by a person of an age not old enough to be a subject of Austenasia, or by a person who is unable to make a reasonable judgement through being intoxicated, asleep, mentally incapable, et cetera.”
- Sexual assault covers “sexual contact”, a term which is easy enough for any judge or jury to understand. While it includes sexual intercourse, this would be the crime of rape (see below) if done without consent or with a person under 16 years of age.

Rape

- The most recent definition of this offence, a first-class felony, is found under Paragraph 2 of the Sexual Offences Act 2015. It is defined as **“having sexual intercourse... with somebody without their consent and/or with somebody less than sixteen years of age.”**
- “Consent” for the purposes of rape is defined in Paragraph 6 of the Definitions and Interpretations Act 2012 as “explicit permission, or permission implied to the degree that the average person could reasonably presume permission to have been given - such permission cannot be given by a person of an age not old enough to be a subject of Austenasia, or by a person who is unable to make a reasonable judgement through being intoxicated, asleep, mentally incapable, et cetera.”
- Rape only covers sexual intercourse, defined for the purposes of rape as “sexual contact between individuals involving penetration”. Any other forms of non-consensual “sexual contact” would be tried as the crime of sexual assault (see above).

Drug offences

The Empire of Austenasia distinguishes between Class A and Class B drugs. As of 18 March 2016, all drugs classified as Class A are listed under Paragraph 4 of the Drugs Act 2015. They are: amphetamine, cocaine, GHB, heroin and opioids, ketamine, and methamphetamine. The drugs classified as Class B drugs are all other substances listed as controlled drugs under the Misuse of Drugs Act 1971 of the Parliament of the United Kingdom of Great Britain and Northern Ireland and its subsequent amendments and schedules (can be seen at <http://www.legislation.gov.uk/ukpga/1971/38/schedule/2>). A subsequent Act of Parliament, Imperial Decree, or Imperial Edict can change the composition of the lists of Class A and Class B drugs.

The following offences relate to crimes concerning illegal and semi-legal drugs.

Drug possession

- The most recent definition of this offence, a misdemeanour, is found under Paragraphs 6 and 9 of the Drugs Act 2015. It is defined as “**possession of any Class A or Class B drug**” and, within Towns and Territories which have prohibited it, “**the possession of tobacco and/or nicotine and products containing it.**”
- “Possession” can include having the illegal drugs on one’s person, as well as knowingly storing them in one’s property.
- Possession of an illegal drug is not a crime if said drug is held with the intention of it being provided as a medical treatment as prescribed in writing by two doctors of medicine.
- The possession of any Class B drug may be legalised in a particular Town or Territory by its respective Town Council or Governor.

Smoking in a smoke-free place

- The most recent definition of this offence, a misdemeanour, is found under Paragraphs 8 and 10 of the Drugs Act 2015. It is defined as **the “consumption of tobacco and/or nicotine”... in a smoke-free place.**
- Smoke-free places include all Towns and Territories where smoking has been prohibited by the respective Town Council or Governor, as well as anywhere in other Towns and Territories which is not included under one of the following:
 - Residential private property in which permission to smoke has been given by the owner;
 - Public property in which the immediate area is not enclosed by a roof; or
 - Crown property in which permission has been given by the Monarch or by a Crown Steward of the respective Crown property.

Drug dealing

- The most recent definition of this offence, a second-class felony, is found under Paragraphs 6 and 9 of the Drugs Act 2015. It is defined as **the “sale or purchase of any Class A or Class B drug”** and, within Towns and Territories which have prohibited it, “**the sale and/or purchase... of tobacco and/or nicotine and products containing it.**”
- The sale and/or purchase of any Class B drug may be legalised in a particular Town or Territory by its respective Town Council or Governor.

Drug production

- The most recent definition of this offence, a second-class felony, is found under Paragraphs 6 and 9 of the Drugs Act 2015. It is defined as “**production of any Class A or Class B drug, or of any chemical with the intention of it to be an ingredient in any Class A drug**” and, within Towns and Territories which have prohibited it, “**the production... of tobacco and/or nicotine and products containing it.**”
- The production of any Class B drug may be legalised in a particular Town or Territory by its respective Town Council or Governor.

Explosives offences

The laws of the Empire of Austenasia relating to explosives are found in the Explosives Act 2015. A license signed by both the Monarch and either the Home Secretary or Minister of Defence is required for the manufacture or storage of explosives. Explosives, for the purposes of these crimes, “refers to gunpowder, dynamite, trinitrotoluene, nitro-glycerine, guncotton, blasting powders, fulminate of mercury, and any chemical or substance used or manufactured with a view to produce an effect by explosion or pyrotechnic effect.”

The offences listed here do not apply to the use of explosives by enlisted members of the Austenasian Armed Forces by the orders of a commanding officer while defending Austenasia from attackers.

The following offences relate to crimes concerning explosives.

Illegal conveyance of explosives

- This offence, a misdemeanour, is defined by Paragraph 12 of the Explosives Act 2015 as being committed when a person **conveys “explosives outside of the parameters set out under Paragraph 11 of” the Explosives Act 2015.**
- Paragraph 11 of the Explosives Act 2015 states that conveying explosives from one location to another can only be done with permission from the local Police Inspector and under police supervision. In Territories, this would be the permission and supervision of the Governor. In any situation, the permission of the land owner(s) would, where applicable, also be required.
- To convey explosives is to transport them from one location to another. This is regardless of intention; somebody who transports explosives unintentionally (for example, by misreading a label on a box) and does not have the required permission would be committing this offence. This standard of liability is necessary in order that anybody who is in a position where there is a chance that they may accidentally transport explosives will make thorough checks in order to prevent such from happening, thereby avoiding the accompanying risks.

Illegal manufacture of explosives

- This offence, a misdemeanour, is defined by Paragraph 3 of the Explosives Act 2015 as being committed when a person **“manufactures explosives, or undertakes any process of such manufacture, without a licence to do so and/or at a location at which such has not been permitted by a licence”.**
- It is permitted to manufacture a small quantity of explosives entirely for the purpose of educational chemical experiments, provided that any surplus explosives are safely disposed of or delivered to the Ministry of Defence within twelve hours of their manufacture. Failure to do this would make the manufacture of said explosives fall under this misdemeanour.

Illegal storage of explosives

- This offence, a misdemeanour, is defined by Paragraph 5 of the Explosives Act 2015 as being committed when a person **“stores explosives at a location at which such has not been permitted by a licence,”** or by **storing “more than 20 pounds of explosives” when one has not been “explicitly granted permission in their licence” to do so.**
- As stated by Paragraph 8 of the Explosives Act 2015, somebody “licensed to store explosives is responsible for their safe storage and for ensuring that they do not detonate whilst in storage.”

Purchase or sale of explosives

- This offence, a misdemeanour, is defined by Paragraph 10 of the Explosives Act 2015 as being committed when **“explosives are bought and/or sold”.**
- Where a person buys explosives from another, they have both committed this offence; the buyer for purchasing them, and the seller for selling them. Merely offering explosives for sale or making an offer to buy explosives, regardless of whether or not any transaction takes place, would also be an offence, as attempted purchase or sale of explosives.

Illegal detonation of explosives

- This offence, a second-class felony, is defined by Paragraph 14 of the Explosives Act 2015 as **the “detonation of explosives outside the parameters set out under Paragraph 13 of” the Explosives Act 2015.**
- Paragraph 13 of the Explosives Act 2015 states that detonating explosives within Austenasia can be done only as part of small-scale educational experiments, or by the written permission of the Home Secretary (and, if applicable, the landowner(s)).
- Somebody who detonates explosives - for whatever reason - is responsible for the safety of said undertaking.

Military offences

The following offences relate to crimes that can only be committed by serving and enlisted members of the Austenasian Armed Forces.

Desertion

- The most recent definition of this offence, a first-class felony, is found under Paragraph 3, Subsection G of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**abandoning one’s duty or post without permission by an enlisted member of the military.**”
- The member of the military must have been enlisted; that is, registered with the Ministry of Defence and not simply a volunteer, mercenary etc.
- The “permission” required to legally abandon one’s duty or post consists of an order from a commanding officer instructing or permitting retreat or withdrawal.

Mutiny

- The most recent definition of this offence, a first-class felony, is found under Paragraph 3, Subsection F of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**refusal by an enlisted member of the military to follow orders from commanding officers, or opposing, changing or overthrowing the legal military authority whom one is under the command of.**”
- The member of the military must have been enlisted; that is, registered with the Ministry of Defence and not simply a volunteer, mercenary etc.
- The only occasion on which it would be legal to refuse to obey orders would be if said orders conflicted with orders given by a higher-ranking officer in that soldier’s chain of command.

Crimes against justice

The following offences relate to crimes which obstruct the bringing of others to justice.

Assisting an offender

- The most recent definition of this offence, a misdemeanour, is found under Paragraph 1, Subsection K of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**assisting a person who has committed a crime by helping them to escape apprehension and/or arrest, and/or by hindering the investigation into the crime.**”
- The crime of assisting an offender consists of any action (or failure to act) that helps a criminal escape arrest or hinders the investigation into a crime that would not be tried as perverting the course of justice (see below)
- It is not a crime for certain professionals such as doctors, clergymen or lawyers to give legal, moral or medical advice to a criminal, so long as it does not further a crime or aid the criminal in escaping justice.

Failing to allow complaints to be brought against a former Representative

- This offence, a misdemeanour, is found in Book XVI of the Codex Jonathanus, in the law based on the 11 October 479 law of Zeno. Said law forbids any former Representative, after losing said office to a successor, “**to permanently depart from**” their Town “**until fifteen days have passed;**” the offence can also be committed by a new Representative should they **make “no honest effort to retain” their predecessor “or to immediately report their flight”** in the case of their predecessor having committed the offence in the former way.
- The purpose of this law is “so that free opportunity may be open to all to lodge complaints concerning misconduct, corruption or other crimes against” the former Representative.
- The fifteen days are counted from the new Representative taking office. During said time, the former Representative may not leave the Town permanently; journeys outside of the Town may be taken, but

these may be of such length and frequency so as to effectively prevent complaints from being brought before them, and so this offence would have been committed.

- Should the Representative stay in the Town, they must not hide within their own homes or take sanctuary with others or in religious precincts.

Perverting the course of justice

- The most recent definition of this offence, a second-class felony, is found under Paragraph 2, Subsection O of the Third Imperial Decree of HIM Emperor Declan I. It is defined as “**forging or disposing of evidence of a crime, lying to a police officer when being questioned after committing a crime, or lying when giving a witness statement or when producing evidence in a Court... [or] Threatening, intimidating or bribing a witness, police officer or member of a Jury due to take part in a trial.**”
- Any action (or failure to act) that helps a criminal escape arrest or hinders the investigation into a crime that does not fit the definition of perverting the course of justice would be tried as assisting an offender (see above).

Breaking the Law

As defined by Paragraph 2, Subsection J of the Third Imperial Edict of HIM Emperor Declan I, the second-class felony of breaking the law is committed by “**contradicting, violating, transgressing, ignoring or refusing to comply with a part of the Constitution or an Act of Parliament.**” This applies to rules made the illegal violation of which is not defined as an offence with a specific name. This crime is unique in that it can be committed in a wide variety of unrelated ways, and highlights the need for knowledge of Austenasian law to be widely propagated throughout the Empire.