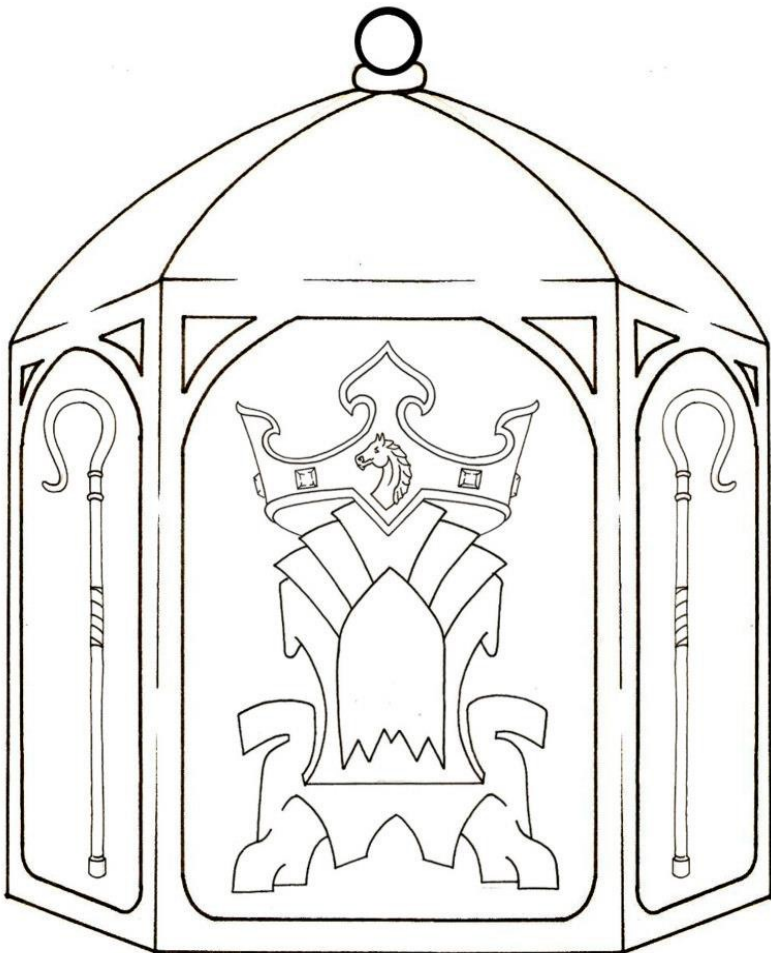


# Imperial Militia Handbook (Anvil)



## **Introduction**

As a deputy in the militia you are performing a vital service for the Empire. By supporting law and order you are making a personal and direct contribution to the imperial good. The Empire supports you in turn by granting you powers to assist you in carrying out your duties, by issuing rewards for capturing fugitives and by recompensing you for necessary expenses.

As a member of the militia you are a representative of the law and answerable to the Magistrates. As such you are expected to maintain high standards of integrity, respect and discipline at all times. Above all you must never use your position to impede or pervert the legal process.

Here is a copy of the oath of the Imperial Militia:

I swear that I will serve the Empire faithfully as a deputy in the Imperial Militia.

I will uphold the law and I will relentlessly pursue those who break it.

I will discharge my duties with courage, loyalty and vigilance.

Let all present bear witness to this, my solemn oath.

Be aware that dereliction of your duties as a member of the militia is a crime.

## **Militia powers**

You have the following general powers and obligations:

- to take reasonable steps to prevent crime and maintain public order;
- to apprehend those suspected of crime(s) in progress and to bring them before a magistrate; and
- to report any crimes which require investigating to a magistrate.

You may be appointed to investigate specific crimes (a case) as they

arise. While appointed to investigate a case you are both duty-bound and empowered to:

- take reasonable steps to gather evidence in furtherance of their investigation (for example, the questioning of witnesses, performing necessary searches and the seizing of evidence);
- arrest suspects and to bring them before the investigating magistrate;
- to parade the accused before thief-takers before their release;
- to produce at trial those witnesses who are called on to provide testimony;
- to produce any other relevant evidence at trial;
- to ensure that security is maintained at the trial, to support the magistrate's authority and to carry out such other court functions as the magistrate deems appropriate;
- to convey to and carry out punishments where applicable.

These powers might be exercised in a number of ways. A few examples of expected behaviour are outlined below:

### Making an arrest

If you believe another person has committed a crime as a member of the militia you are expected to attempt to apprehend them if you are able, or get help if you are not. If you attempt to make an arrest then the law protects you from crimes associated with this act (for example, assault). However, if a magistrate decides that your actions were disproportionate or that it was not reasonable to believe that the person apprehended had committed a crime then you lose your legal protection. Although any citizen can make this defence militia members are more likely to be given the benefit of the doubt since they are only carrying out their duty.

You should only ever use force to make an arrest if the suspect flees, responds with violence or, as a last resort, if they are uncooperative. You must ensure that treatment is given to any life threatening wounds sustained by those you arrest, in so far as it is practical to do so.

When you make an arrest you should bring the suspect before a magistrate as soon as practicable. Be aware that you must attend

prisoners at all times while they are in your custody.

### Interviewing

When you are interviewing a citizen in connection with a crime you are expected to be respectful in your manner and firm but reasonable in your approach.

For example, if a senator is currently unavailable because he has to attend to an important vote in the senate then make arrangements for an interview as soon as his urgent business is concluded. If you believe that you are being given the run around then you can be firm, but it may be worth checking with a superior first. If a citizen is always too busy you may ask a Magistrates to assist you - their interview requests cannot be refused.

If you have reached the point where you have arrested the suspect (see above) then you may have an opportunity to interview them afterwards without concern for their schedule.

There is no right to silence; if the accused refuses to answer a question, the magistrate may make an adverse inference about their guilt at any later trial. There are also serious penalties for witnesses who give false testimony.

### Stop and search

Similar principles apply here as they do to making an arrest. If you believe that someone is carrying a prohibited item or evidence that associates them with a crime then you may search them (and if they refuse arrest them). However, if a magistrate decides that your actions were disproportionate or that your belief was not reasonable then you lose your legal protection.

You should only seize items that are prohibited or are evidence for an investigation. Prohibited items will be secured or destroyed by the magistrates. Evidence will normally be returned in due course.

## Maintaining public order

You have a general obligation to maintain public order. Citizens should be given the freedom to air their disagreements with one another freely but you should not allow such situations to degenerate into a riot or battle. Nor should citizens be allowed to disrupt the lawful processes of the state (for example by making a disturbance in the visitors gallery of the Senate).

## Trivial Offences

You will often come across situations where a citizen accuses another of a trivial crime and they insist that you do something about it or even arrest them. In circumstances when it is obvious that this is a trivial matter it is best dealt with by speaking calmly to the parties involved to try to defuse the situation. If you are unsure then speak to a superior or bring the matter before a magistrate.

## **Militia Organisation**

Militia members appointed to oversee a specific case are referred to as investigating officers. You are expected to liaise with the investigating officer and magistrate appropriately.

Members of the militia who distinguish themselves may be given an imperial warrant by a magistrate. This warrant signifies their seniority.

Warrant officers have the following additional powers:

- to deputise citizens into the imperial militia;
- to begin investigations into new crimes under their own authority;
- and
- to oversee pre-trial cases in progress.

They must still liaise as appropriate with magistrates, but are given more latitude in how they attend to their duties.

Militia are usually organised in small units to work cases with a warrant officer in charge of the unit. If possible the warrant officer in

each unit will report to a single magistrate so that they can become familiar with their cases and are in the best position to determine when they are ready to take a case to trial.

## **Sanctuary**

You may not enter a place of sanctuary without the express permission of a priest who is responsible for it. Even if permitted to enter you may not arrest or otherwise interfere with anyone within who has been granted sanctuary. A suspect may only claim sanctuary for a limited period, usually one hour. This period allows them to make a confession and to ask a priest to attend them at trial so that a plea for clemency can be made on their behalf.

## **Record Keeping for the militia**

See separate document.

## **Criminal laws**

### Crimes against the Person

- Murder: Unlawful assault or other action against a person with intent to kill and which results in someone's death.
- Manslaughter: Unlawful assault or other action against a person which results in someone's death.
- Assault: Unlawfully striking a citizen.
- Mayhem: Unlawfully maiming or mutilating a citizen.
- Poisoning: Introducing or applying a poisonous substance or effect to a citizen which causes them harm.
- False Imprisonment: Unlawfully detaining a citizen against their will. Suspects must be directly supervised during any period of lawful custody.

- Malsanguino: Willfully preventing someone from receiving medical attention with the intention of causing them harm.
- Slavery: Unlawfully holding the power of life and liberty over any person.

It is worth noting that orcs were redefined as people when they became a nation of the empire. Whether a person is a citizen or not is irrelevant, so it is also illegal to enslave barbarian orcs.

### Crimes of Property

- Theft: Dishonestly appropriating property belonging to another with the intention of permanently depriving the other of it. The burden is on the accused to satisfy the magistrate as to their intention to return the property.
- Handling Stolen Goods: Receiving or disposing of goods which you know or believe to be stolen.
- Counterfeiting: The falsifying, or unlawfully creating or amending of an imperial document or legal tender.
- Criminal Damage: Unlawfully destroying or damaging any property either belonging to another citizen or to the Empire. Magistrates often refuse to bring to trial cases involving accidents or claims of negligence, preferring such cases to be held in the civil courts. Criminal damage to Imperial property is almost always dealt with in the criminal courts however.
- Possession or supply of controlled substances or items: this includes both illegal narcotics and items. It is illegal to carry the Scorpion's Sting dagger, the Maggot's Talon wand, and the substance gutwrench. The poisons created by apothecaries using the lores of The Assassin's Gate and The Winter Moon are likewise illegal.
- Vallorn cultivation: It is illegal to cultivate vallorn.

### Crimes of Position

- Treason: Aiding barbarians, eternal or foreign powers to act against the interests of the Empire. Committing an assault against the emperor or empress. Only citizens of the Empire may be charged with treason.

- Impersonation of an Imperial Official: Falsely and dishonestly claiming to be a senator, civil servant, member of the militia etc. Any person who with intent to deceive impersonates an official of the Empire or does any act calculated falsely to suggest that they are, shall be found guilty of this crime.

- Dereliction of Duty: Volunteering for an imperial duty and then failing to carry it out through neglect or cowardice. Members of the Militia are expected to act in accordance with their duties when they observe a crime in progress or about to occur. Citizens who take the battlefield and then show conspicuous cowardice in the face of the enemy may also be tried for this offence. This offence does not relate to the abuse of an imperial position, which is within the remit of the Synod.

### Crimes against the Processes of the State

- Contempt of Court: any behaviour which impedes the proper operation of the legal process. For example, being disruptive during a trial or disrespectful of the magistrate's authority, failing to attend court (or any other relevant meeting with a magistrate), and failing to obey the lawful order of a magistrate.

- Perverting the Course of Justice: any behaviour calculated to unduly affect the course of the judicial process. For example, bearing false witness, making false allegations, concealing offences or assisting others to evade arrest, interference with witnesses or evidence and evading, withholding or perverting a lawful punishment.

- Subverting agencies of the state: any behaviour which contravenes or subverts the constitutionally protected procedures or powers of an agency of the state.

For example: rigging or ineligible participation in the national



election of senators (such as a yeoman disguising their identity to enter a tourney to determine the person who may select Dawnish senators), a senator entering the General's tent to interfere with their military strategies, a member of the synod being refused the right to witness (without cause) and so on. This crime does not apply to the abuse of constitutionally granted powers by the person or body who is entitled to wield them.

- Resisting Arrest: Any course of action with the intent to oppose a lawful arrest.

- Contravening a Declaration of Sorcery: If the Conclave declare that someone is a sorcerer it is illegal for them to carry crystallised mana or to perform rituals.

### Religious Crimes

- Blasphemy, Heresy and Idolatry: Religious crimes which will be tried by a magistrate but are raised by the by the Synod.

- Abuse of Powers: The misuse, or abuse, of the powers of a priest. This includes the powers of the Synod, as well as liao ceremonies.

### **What isn't a criminal offence?**

- Fraud: Dishonesty calculated for personal gain. However be aware that a victim might raise a civil case in these circumstances.

- Blackmail: Using threats to make a gain or to cause a loss to another.

- Slander and Libel: Making disparaging and false statements about another in public.

- Use of magic: Using magic on another person is never in and of itself a crime. However if the effect of the magic meets the definition of a crime then the fact that this effect was achieved by magic is no defence. For example, a curse of poverty doesn't meet the definition of any criminal offence but a death curse most certainly does. The

Conclave are responsible for overseeing the proper operation of magic and have powers which allow them to take action against those who use it inappropriately.

### **Attempts and aiding and abetting**

- Attempt to Commit a Crime: An attempt to commit a crime will be tried in the same way as if they had committed the crime but may (or may not) result in a lesser sentence.

- Aiding and Abetting of Crime: Encouraging, soliciting or helping with the perpetration of a crime. This will be tried in the same way as if the accused had committed the crime but may (or may not) result in a lesser sentence.

### **Defences**

- Consent: It is possible for willing participants to give consent so that what would otherwise be crimes being committed against them are not. For example, two individuals who have agreed to spar with weapons would not be guilty of assault for striking each other. It is considered wise to make such terms clear in the event that there is a disagreement later. While duelling is permitted it is not possible to consent to your own murder (but a priest for the surviving party might make a plea for clemency based on the reasons for the duel).

- Lawful Arrest: If an ordinary citizen or member of the militia who believes another person has committed a crime apprehends them, then the law provides some protection against crimes (for example, assault) associated with this act. However, if a magistrate decides that their actions were disproportionate or that it was not reasonable to believe that the person apprehended had committed a crime then this protection will not apply. If a citizen wishes to claim this defence at trial then they should plead not guilty.

- Self-defence: If a citizen reasonably believes that their property or the safety of themselves or others is in immediate jeopardy then they may use reasonable force in order to protect them. If a citizen wishes to claim this defence at trial then they should plead not guilty. The

magistrate will determine whether their behaviour was reasonable and if she decides that it was not then the accused will be found guilty. Claims of self-defence will also fail where the accused is already engaged on a course of criminal activity or is subject to lawful arrest.

- Unwelcome visitors: There is a traditional defence to an assault charge which applies where unwelcome visitors who refuse to leave your camp are cut down, removed from camp and then provided with sufficient medical assistance to avoid permanent injury. One who is accused of assault but wishes to claim this defence should plead not guilty if it goes to trial. However, if the magistrate decides that the accused's behaviour was unreasonable they will be found guilty. Militia and civil service functionaries may use this defence when visitors attempt to disrupt the lawful processes of the state (such as the Senate for example).

The law is primarily concerned with consequences. For example, in the Empire most injuries are healed with no long term consequences, so an assault charge is not particularly serious unless there is evidence to suggest attempted murder.