



# Crime and Punishment Act 2024

**An Act to define and codify criminal proceedings.**

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# Schedule 1: Criminal Prosecution

1. Criminal prosecution may only be brought forward by the Royal College of Elmwycke.
2. Criminal prosecution may only be brought where there is reasonably believed to be:
  - a. Sufficient evidence to prove guilt,
  - b. and;
  - c. Sufficient public interest to prosecute.
3. A record of criminal prosecutions is to be maintained by the Royal College of Elmwycke.

# Schedule 2: Definition of offences

1. Criminal offences are to be categorised into sections.
2. Section A offences have a maximum penalty of permanent suspension of Brughian citizenship.
3. Section B offences have a maximum penalty of:
  - a. 6 months' suspension of Brughian citizenship,
  - b. 12 months' suspension of electoral rights,
  - and,
  - c. permanent suspension from the Royal College of Elmwycke.
4. Section C offences have a maximum penalty of:
  - a. 6 months' suspension from the Royal College of Elmwycke,
  - and,
  - b. 12 months' suspension of electoral rights.
5. Section D offences have a maximum penalty of 12 months' suspension of electoral rights.

# Schedule 3: Criminal Proceedings

1. Criminal proceedings are to be brought forth within the Royal College of Elmwycke, as part of an extraordinary session.
2. The first reading at the Royal College of Elmwycke will allow the defendant to enter a plea of guilty, or of non-guilty.
3. If a defendant pleads guilty, they will be moved immediately to sentencing.
4. If a defendant pleads non-guilty, they will be moved to a second reading, whereby evidence is presented to the Speaker of the Royal College.
5. Criminal proceedings may not be brought if 24 weeks' time has elapsed since the date of the alleged offences.
6. Criminal proceedings may not be brought if the alleged offences were not, at the time of the alleged offences, barred by statute.
7. The Royal College of Elmwycke may not withdraw prosecution after criminal proceedings are brought forth.
8. An individual will only be convicted if a majority of the Royal College of Elmwycke votes in support of conviction.
9. If an individual is not found guilty of an offence, the Royal College of Elmwycke may not prosecute them again for the same offence.

# Schedule 4: Appellate Tribunal

1. Those convicted of offences may request the creation of a tribunal to appeal their conviction.
2. The Royal College of Elmwycke may not reject an appellant's request for a tribunal, unless the following conditions are met:
  - a. No new evidence has been submitted in support of the appellant;  
  
and;
  - b. A majority of the Royal College of Elmwycke votes to reject a tribunal.
3. If an appellant is unsuccessful, they may reappeal an infinite number of times.
4. If an appellant is successful, their conviction will be considered quashed, and may not be prosecuted again.

# Schedule 5: Sentencing

1. Individuals convicted of offences are to be sentenced by the Speaker of the Royal College of Elmwycke.
2. The Speaker of the Royal College of Elmwycke must consider the following when sentencing an individual:
  - a. The individual's culpability;
  - b. The harm cause by the individual's actions;
  - c. Previous convictions;
  - d. Attempts to conceal, or to dispose of, evidence;
  - e. Failure to comply with prosecution;
  - f. Positive character and conduct;
  - and;
  - g. Type of plea at first reading.
3. An individual's sentence may not exceed the maximum penalty as described under Schedule 2, Sections 2 to 5 of this Act.