



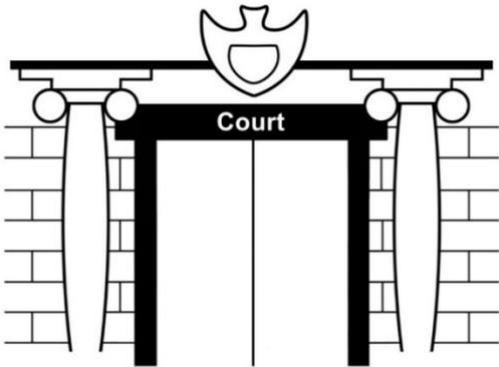
Ministry
of Justice



Going to Court as a Defendant: Understanding the Legal Terms used in Court

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On the next pages are some words you might hear in a criminal court. This leaflet will help you understand what these words mean.



Everyone has a right to understand what is happening at court.

The language used in court can be confusing.

These are not words we hear every day.

Quite a lot of these words are legal terms.



If you cannot speak English very well, or have a disability that makes it hard for you to understand, you should tell the court as soon as possible.

They can get you an interpreter, or other support to help you understand.

<p>Acquitted</p>	<p>If you are acquitted of a crime this means you have been found 'not guilty'. You will not have a criminal record.</p>
<p>Bail</p>	<p>This means you will not have to go to prison before your trial. You must go to court when you are told to. If you do not, you might be arrested.</p> <p>You may have 'conditions' attached to your bail. For example, you may not be able to go to a certain address, or go out after a certain time.</p> <p>You will be told if you have any conditions on your bail. If you ignore these conditions you might be arrested. You might be kept in prison while you are waiting for your trial or sentence.</p>
<p>Barrister</p>	<p>A barrister is a lawyer. They are specialist court lawyers. If you have a solicitor, they may ask a barrister to advise you and represent you at court.</p> <p>In some cases you can go straight to a barrister. This is called a 'direct access barrister'.</p> <p>www.barcouncil.org.uk</p>
<p>Charge</p>	<p>This is the crime or crimes you have been accused of.</p>
<p>Committal for Sentence</p>	<p>If the magistrates think that the crime needs a more serious punishment then they can send you to the Crown Court to be sentenced.</p>
<p>Community Order</p>	<p>If you get a community sentence you do not go to prison. You might be told to go on probation courses, do unpaid work or stay indoors between certain times. If you do not do this then you can be punished.</p>
<p>Complainant</p>	<p>The complainant is the alleged victim in the case.</p>

Convicted	If you are convicted of a crime you have made a guilty plea or have been found guilty after a trial. You will have a conviction and a criminal record.
Defence	The lawyers helping the defendant with their case OR the reasons why you are not guilty.
Defendant	If you have been charged with a crime and told to go to court you will be called a defendant.
District Judge	District Judges hear cases in the magistrates' court. They have been trained in law and can hear your case instead of magistrates.
Evidence	Evidence is used in a case. Witnesses may be able to give evidence through video links, by written statements, or in the court room. Sometimes there is forensic evidence (like DNA, blood), or physical evidence (CCTV footage), or medical evidence.
Hearing	Where the prosecution, defence, and judge/ magistrate meet in a courtroom. Hearings may decide if you need a trial or what sentence you should get. They are usually open to the public.
Indictment	This document lists the crime or crimes you have been accused of. This word is only used in the Crown Court.
Jury	A jury is made up of 12 people who are randomly selected from the community. They sit on trials in Crown Court cases and decide whether the defendant is guilty or not.
Lawyer	Solicitors and barristers are lawyers.
Legal Adviser	A legal adviser works in the magistrates' court. They are lawyers who advise the magistrates on the law. They will

Legal Adviser	help explain the court process to you during a hearing or trial.
Legal Aid	You could be entitled to free legal advice or financial help with legal fees. This is called legal aid. A solicitor can advise you about whether you can apply for legal aid.
Liaison and Diversion Services	They can help the court make decisions about defendants with learning difficulties and mental health problems.
Magistrate	Your case could be heard by up to three magistrates in a magistrates' court. Magistrates are not lawyers. They are usually people who live in the local community. They are supported by a legally trained adviser.
Nationality	The country or countries where you are a legal citizen. If you have a passport, this will be the country that issued the passport.
Offence	An offence is a crime.
Plea	This is when you say whether you committed the crime or not. If you agree that you committed the crime you will say you are 'guilty'. If you do not agree you will say you are 'not guilty'.
Probation	<p>In courts, probation services give advice to a judge or magistrates about what sentence you should get if you are convicted.</p> <p>They will speak to you and prepare a report. They will want to understand why you committed the crime and about your background and history.</p> <p>They might advise the court that you need help with a drug or alcohol problem, or say if you are likely to commit another crime.</p>

Prosecution	The people who say that you committed the crime. This is likely to be the Crown Prosecution Service (CPS) and the police. A lawyer will represent them in court.
Remanded in Custody	This means you will be sent to prison to wait for your trial or your next hearing.
Sending for Trial	You can be sent to the Crown Court by the magistrates for your trial. This might happen if the magistrates think the case is too serious for the magistrates' court.
Sentence	The sentence is the punishment you would get if you plead guilty/ are found guilty. For example, your sentence could be a fine, a community sentence or prison time.
Solicitor	<p>A solicitor is a lawyer. If you have a solicitor, they will represent you in court or arrange for another lawyer to represent you.</p> <p>www.lawsociety.org.uk/for-the-public/common-legal-issues/criminal/</p>
Suspended Sentence	<p>If you get a suspended sentence you will not have to go to prison unless you commit another crime. If you commit a new crime, the court might decide to send you to prison.</p> <p>If you get a suspended sentence you might have to do something like unpaid work, or go to meetings with a probation officer. These are called 'requirements'. If you do not do what you are told you can be punished, and you can be sent to prison.</p>
Triable Either Way	If the crime you are charged with can be tried in either a magistrates' court or a Crown Court then the magistrates' court will decide where the trial will be. You have the right to ask to be tried in the Crown Court. You should speak to a lawyer about this

Usher	An usher works for the court. Magistrates' and Crown Courts often have ushers to help support the running of the court.
Victim Surcharge	If you are found guilty you will have to pay a victim surcharge. You have to pay this even if the crime did not have a victim (e.g. TV Licence Evasion). This money helps support victims of crime and their families.
Verdict	This is the decision made by either the magistrates (in the magistrates' court) or the jury (in the Crown Court) about whether you are guilty or not.