

abuse excuse	the defence that the perpetrator of a crime had suffered, or was protecting those who had suffered, from child abuse
accessory after the fact	a person (or persons) who helped the main perpetrator after a crime was committed
accessory before the fact	a person (or persons) who helped plan a criminal offence but was not there when it occurred
actus reus	the 'guilty act' (that is, the voluntary commission of an act or voluntary omission of a duty that breaks the law)
adjournment	a temporary postponement of legal proceedings to recommence at a later date

adversarial system of trial	system of trial used in Australia, in which the two sides of the case try to present and prove their version of the facts and disprove the other side's version
aggravating factors	circumstances taken into account by a sentencing judge that may result in a more severe penalty
alleged	a person is accused of committing a crime, but has not yet been found guilty
appeal	a case is taken to a higher court because either side disagrees with the decision of a lower court
appellant	the party who disagrees with a court decision and appeals (that is, takes the case to a higher court)

attempt	a crime is not successfully committed, despite the offender trying to do so
bail	an agreement to attend court to answer a criminal charge; some surety of attendance is usually required, such as a monetary fee
battered woman syndrome	a criminal defence which may arise when a woman kills her husband or partner after years of suffering domestic violence or abuse
bond	a punishment in which the offender is free to go into the community but agrees to be of good behaviour for a certain period
burden of proof	the responsibility of proving a case in court; in a criminal case the prosecution has the burden of proof and must prove that the accused is guilty

causation	the act or omission committed must have caused the specific injury complained of
caution	an offender is warned by police rather than arrested and charged
character evidence	evidence about the character of the accused; bad character evidence is generally not admissible in court
charge negotiation	an agreement between the prosecution and defence, having met before the trial, with the defence agreeing that the accused will plead guilty if the prosecution reduces the charge; also known as plea bargaining
circle sentencing	a restorative justice program for Aboriginal offenders in which a 'circle' of people involved with the offence discuss the offence and ways of rectifying the harm done

citizen's arrest

the right of citizens to arrest anyone who has committed a crime, only able to be used in certain limited circumstances

civil disobedience

breaking the law deliberately as a protest against the law or against another action by government

committal hearing

preliminary proceedings for trial by jury

community service order

a punishment for which the offender is required to perform some unpaid work or service in the community for up to 500 hours

complete defence

a criminal defence which, if successfully proved, completely clears a person of a crime