

A Dictionary of Legal Terms - Magistrates Court (in English and Yolŋu Matha)

abuse

- 1) *vt.* **to mistreat.** ṅayaṅu-midukuman. *Syn:* mistreat , maltreat.
- 2) *vt.* **to insult verbally.** bindharr'yun. *Syn:* swear at , insult.
- 3) *n.* **insulting language.** ṅoy-bathannamirr matha.
- 4) *n.* **the maltreatment of someone or something.** galŋa-rirrikthunnamirr rom. *Syn:* maltreatment. *See:* child abuse.

accessory *n.* **a person who is not present during the conduct of a criminal act but who is implicated in some way for it.**

accessory before the fact; romgu-bakmaranharaw guṅga'yunnamirr yurr bāyṅu ṅayi bāmara'yurr.

accessory after the fact; manṅinyawuywu wetjku marṅgi.

accomplice *n.* **a person who helps another person to commit an offence or associates with them while they are breaking the law.** bāmara guṅga'yunnamirr.

accused *n.* **a person who is charged by police with having broken the law. In a criminal court case this person is also known as the defendant.** birrka'yunnawuy. *Syn:* defendant.

Act *Variant:* Act of Parliament. *n.* **a law made by parliament.** wāyuk.

adjourn *vt.* **to postpone a court hearing to a later time.** gulyun guwarryu, dadawmaram. *Syn:* defer , postpone , suspend.

admissible evidence *n.* **information that the judge agrees may be used in a court of law to prove or disprove something.** dhudi-dhāwu dhukarmirr, dharaṅanminyawuy dhāwu. *See:* inadmissible evidence.

admission *n.* **an oral or written statement by an accused person which acknowledges their liability at law. This includes their agreement that a particular fact is true or their agreement that they have broken the law.** yoranhawuy dhāwu, yoranhawuy dhāwu djourra'ṅur.

affidavit *n.* **a voluntary statement that is made by a person under oath. In a court of law it can be used in the same way as oral evidence or a person's testimony.** wāwunmirr dhāwu djourra'ṅur, wukirriwuy dāmbu-guykthunnawuy.

alibi *From: Lat - in another place. n. a statement asserting that the accused person was somewhere else or with someone else, when the particular offence was committed.* wiripuḡuwal ḡayi gan nhinan ḡuriḡi waluy, wiripuḡur ḡayi gan nhinan ḡuriḡi waluy.

allegation *n. a claim or assertion of legal wrongdoing made against someone.* djarrma, birrka'yunnawuy dhäruk.

appeal

- 1) *vtr. to request that a judgement made be reconsidered again by a higher court.* dhä-ḡayarrkam, dhä-wurripurum, dhä-ḡäma, buku-duwatthun, buku-dhuwalḡun. *Syn:* ask , petition , request , beseech , seek , dispute.
- 2) *n. a request to have a legal case reheard in a higher court.* dhä-ḡäma (wo buku-duwatthun) dhudiw-dhäwuw djunama yindilil ḡarra'lil. *Syn:* request , petition , supplication.

arrest

- 1) *vtr. to physically restrain someone and to take him/her into custody.* ḡayatham, ḡapmaram, lukimap. *Syn:* detain , apprehend , capture.
- 2) *n. the holding of someone to preserve public order or to prevent a crime from being committed.* dhal'yunnawuy dhukarr dhawatthunnaraw warrāḡullil ḡapmaranhakurr romgurr.

assault

- 1) *vtr. to physically harm someone or threaten to harm someone by threatening gestures.* buma.
- 2) *n. any behaviour or conduct that harms or threatens to harm someone.* bunhawuy.

bail

- 1) *n. the agreement to free a person from custody until the time of their next court appearance.* dhawatmaranhawuy rom. *Syn:* security.
- 2) *vtr. to release an accused person after being charged. They are free until the date of the next court hearing into their case.* dhayalakum warriku, dhawatmaram guwarr yan, dhawatmaram ga galkun ḡärraw'. *Syn:* release.

barrister *n. a lawyer who speaks for and represents their client inside a court of law.* mel-ḡarra'mirr yolḡu ḡuli maḡutji lakaranhamirr yolḡuw djinaga rombuyḡur ḡarra'ḡur. *See:* client.

beyond reasonable doubt *n.* *for a person to be found guilty of the crime committed, the prosecution must prove their case against the accused. They must prove that what they allege to be true is most probably what happened. If there is significant doubt, then the person cannot be found guilty of committing the crime.* yuwalk yan marngithirr, dhukarrmirriyanhawuy dhäwu. *Syn:* standard of proof.

bond *n.* *See:* good behaviour bond.

breach *vtr.* *to break the law.* wäyuk-bakmaram, rom-bakmaram.

brief

- 1) *n.* *the legal documents given to a barrister containing all the available information that they need to properly represent their client in court.* dhäwu-dhul'yunnawuy djorra'lil dhä-gurrupan mel-ñärra'mirriwal.
- 2) *vtr.* *to inform or familiarise someone with the main points of a story or event.* mulkurr bira'maram dhäwu gurrupan, dhäwu-gurrupan. *Syn:* inform, instruct, familiarise, notify, precis.
- 3) *adj.* *short, concise, no more than is necessary.* gurriri. *Syn:* concise , succinct , condensed , short.

burden of proof *n.* *the prosecution are the side who must prove that the crime was done by the accused. If they are unable to prove this then the accused is able to go free.* *Syn:* onus of proof; *Opp:* reversed onus of proof.

case

- 1) *n.* *a criminal proceeding in a court of law.* *Syn:* hearing , trial , legal proceeding.
- 2) *n.* *the total of all submissions made on behalf of one party in a trial or other legal proceedings.*

caution

- 1) *n.* *a warning to an accused person. It informs them that they have no legal obligation to answers any questions. It also tells them that anything they say can be recorded and may be used against them inside a court.*
- 2) *vtr.* *to warn or alert someone about their legal rights and that no one (incl. police) can force them to answer questions.* biŋga'maram, nuryun. *Syn:* alert , warn , inform.

charge

- 1) *n.* *a formal accusation of legal wrongdoing.* birrka'yunnawuy dhäruk. *Syn:* accusation. *See:* charges.
- 2) *vtr.* *use formal legal procedures to accuse a person of doing something wrong.* birrka'yun, djuj'yun. *Syn:* accuse , indict , arraign , suspect of wrongdoing.

client *n.* *a person who is represented in court by a barrister. It may also refer to a person who seeks legal help from a solicitor.* yolŋu mariŋur.

commit

- 1) *vtr. to send an accused person to a higher court for trial.* **djuy'yun bala yindilil ñarra'lil, yängum.** *Syn: send.*
- 2) *vtr. to order a person to be held in custody.* **galkana ñanya, dhayüñan.** *Syn: place in custody , place in care.*

commit a crime *vtr. to offend, to act in an unlawful manner.* **wäyuk-bakmaram, rom-bakmaram, midikuman djäma.** *Syn: offend , break the law.*

committal hearing *n. a hearing in a Magistrate's Court to see if the accused should be sent to trial for committing a serious / indictable offence. The magistrate must first hear some of the evidence to see if he thinks there is a good case against the accused. If there is not, he will dismiss the case.* *Syn: preliminary examination.*

community service order *n. a court order requiring an offender to do unpaid work in the community as punishment. This order is made by the judge as an alternative to sending the offender to jail.* **djäma-gurrupan wäñakurr.** *Syn: community-based order.*

concurrent sentences *n. time spent in prison by a person convicted of two or more criminal offences that are separate and unconnected.*

consent

- 1) *vtr. to give permission to someone. To give one's informed agreement about something.* **romkurr yoram, yoram.** *Syn: agree.*
- 2) *n. a voluntary agreement recognised by the law.* **rombuy yoranhawuy, yoranhawuy.** *Syn: lawful agreement.*

contempt of court *n. any behaviour that shows a disregard for the authority of the court. (i.e. fail to obey an order of the court, display improper behaviour inside a court room). If found to be in contempt, a person may be fined money or ordered to be imprisoned.* **baykarraranhawuy ñarra'puy.**

contextualise *vtr. to explain in more detail in order to give clarity of meaning. Provide the relevant background to a word or words (written or spoken).* **djuñunmirriyam dhäwu, mayali'mirriyam dhäwu, diltjipuy dhäwu lakaram, mayali' dhunupayam.** *Syn: fill in , key into , elaborate on , elucidate.*

conviction *n. the decision of the court or judge that the person committed the offence (i.e. that they are guilty as charged).* **raypirri'-gurrupannawuy dhäruk.**

court

- 1) *n. a place of law where criminal charges are heard before a magistrate or judge.* ḡarra', got.
- 2) *n. the persons recognised by the law to hear criminal proceedings and to sit in judgment.* liya-ḡarra'mirr mala.

court order *n. See: order.*

credible witness *n. a witness whose testimony is considered by the court to be accurate and believable.* ḡayaḡu-māḡanḡhunnamirr. *Opp: unreliable witness.*

crime *n. any action or behaviour that intrudes on the legal rights of others. They are classified as being either summary (i.e. minor) offences or indictable (i.e. serious or major) offences.* wäyuk-bakmaranhawuy, rom-bakmaranhawuy, buku-munhapuy, yätjkurruwuy djämapuy. *See: misdemeanour , felony.*

criminal

- 1) *adj. describes an action that is unlawful (i.e. a crime) and is against the Criminal Code.* wäyuk-bakmaranhawuy, rommiriw. *Syn: unlawful.*
- 2) *n. a person convicted of a crime.* wäyuk-bakmaranhamirr, rom-bakmaranhamirr, monuḡu. *Syn: perpetrator, assailant , violator.*

Criminal Code *n. the statute of law dealing with criminal behaviour.* wäyuk rom-bakmaranhamirriw.

criminal record *Variant: record. n. a detailed list held by officers of the law (e.g. police, court etc.) of a person's previous criminal convictions.* dhorukmirr wäyuk ḡäthiliḡu.

cross-examine *vt. to question a witness and aim to discredit their story or evidence (i.e. a defence lawyer will question a witness appearing for the prosecution to try and prove their testimony to be false; a prosecution lawyer will try to discredit a witness appearing for the defence).* ḡupan dhudi-dhäwu, dhudi-dhäwu ḡupan, dhudi-dhäwu maḡ'maram, märrwu-larrum, marrku-larrum. *Syn: grill , probe into , scrutinise , interrogate.*

custody *n. to have legal or authorised control over another person. This includes the power to decide where they can and cannot go.* ḡapmaranhaminyawuy rom, ḡunganhaminyawuy, djäḡa romgurr, ḡoḡḡur, ḡarambiya'ḡur.

defence

- 1) *n. the justification given by a person for their actions. These reasons are told inside the court.* *Syn: justification.*
- 2) *n. a term used to describe the accused person and their legal counsel or representatives.* wana-galmunhamirr, galmunhamirr walal. *Syn: defence counsel , defendant; Opp: prosecution.*

defendant *n. a person who has been charged with committing a criminal offence.*
birrka'yunnawuy.

discharge *vtr. to conclude or finish a legal obligation.* dhayaḷakum, dhawaṭmaram.

dismiss *vtr. to end an employment agreement (contract).* dhawar'maram. *Syn:* terminate, sack.

domestic violence *n. physical attacks or threatened attacks occurring between close family members. It is a statutory offence that can be heard in a criminal court. Usually it is violence done by men towards their female partner or children.*

due process *n. the method of protecting the legal rights of accused persons. The protection is given by following correct legal procedures. See: process.*

evidence *n. any object (e.g. knife, clothing, spoken story or a written statement) used in legal proceedings to prove that a particular statement or allegation is either true or not true.*
dhudi-dhäwu, dhudi-dhäwumirr girri', dhudi-dhäwumirr lakaranhawuy.

eye-witness *n. a person who was present to see the crime being committed.* mel-marṅgi.

fact *Variant: facts. n. something which everyone agrees about and which there is thereafter no need to talk further or argue about, (i.e. something that both the prosecution, judge and defence agree about).* yuwalk dhäwu. *Syn:* truth.

fine

- 1) *n. a penalty imposed on an offender. The money is paid to the government as public money for them to look after, because society's rules have been broken by that person.*
rrupiyawuy dhä-gir'yunnawuy, rrupiya gurrupan.
- 2) *vtr. to impose a monetary penalty.* dhä-gir'yun rrupiyakurr romkurr, djätjim. *Syn:* penalise.

first offender *n. a person who has not previously been convicted for committing a crime.*

good behaviour bond *Variant: bond. n. a criminal sanction (i.e. punishment) where the offender is released by the court for a set period of time. The condition for this release is that he/she is of 'good behaviour' for all of that time.* wäwunmirr ga nhina, wäwun-nhirrpan.

gratuitous concurrence

gratuitous concurrence *n. the habit or behaviour of agreeing (saying 'yes') to everything that another person says. (It is especially evident in contexts where an authority figure is involved (e.g. police officer, lawyer, school principal, magistrate etc.) and even more pronounced in cross-cultural contexts.).*

guilty finding *n. a finding or decision by a criminal court that the defendant has committed the crime they are charged with. This decision can be reached even if the accused person continues to declare that they didn't do it.*

guilty person *n. a person who in the opinion of the magistrate has committed an offence. moṇuṇu, rom-bakmaranhamirr, wäyuk-bakmaranhamirr.*

guilty plea *adj. the defendant's plea when in a criminal court admitting that they committed the crime. maraṅgunhamirr, marṅgimirr. Yo, maraṅgunhamirr ḡarra yolḡu, ḡuriki birrka'yunnawuywu dhärukku. I plead guilty as charged. Syn: culpable , responsible; Opp: not guilty plea.*

guilty (feel -- *adj. an awareness of one's own guilt or state of liability before the law. Being affected by feelings of sorrow, shame and remorse as a result. ḡoy-badarratjtjunmirr, djurrurumirr. Syn: ashamed , contrite , regretful , sorry , remorseful.*

hearing *n. to examine or test a criminal charge in a Magistrate's Court. djarrma ḡäma, djarrma ḡäma djinawa ḡärra'ḡur.*

hearsay *Variant: hearsay evidence. n. the information told to the court while under oath concerning a fact or event not personally seen or heard. It is a statement based on what someone else has said about the crime committed and is not able to be used as evidence in a court. yan dhäwu.*

home detention *n. a court order requiring someone to stay all the time at their own house. This means they are not be able to move about freely. This is that person's punishment instead of going to jail. dhuḍi-nhirrpan wäḡalil.*

indictable offence heard summarily *n. the decision to conduct the hearing of a serious criminal offence entirely within a Magistrate's Court. (i.e. as if it were a minor or summary offence). In such cases, decisions about the facts of the case rest with the Magistrate, rather than with a jury. See: summary offence.*

inducement *n. any action taken to persuade or entice someone to do something that they would not otherwise do.*

innocent *adj. describes someone who the court finds did not commit a crime. It also describes a person who the court finds has not assisted someone else to break the law. yaka marŋgi, marŋgimiriw, maŋutji-gulinymiriw. Syn: blameless , faultless , guiltless , inoffensive , innocous , inexperienced.*

instruction

- 1) *n. advice, directions to be followed. rom-lakaranhawuy. Syn: notification , advice.*
- 2) *n. the directions given to a lawyer authorising him/her to act as that person's legal advocate. dhäruk-gurrupanminyawuy. Syn: brief , authorisation.*

interview

- 1) *vt. to question someone about a crime that has been committed. Police must advise a person of their legal rights before the interview can proceed. A person has the right to refuse to answer any questions that the police ask. dhä-birrka'yun, märrwu-larrum. Syn: question , interrogate.*
- 2) *n. the questioning of a suspect or a witness to a crime by police. Syn: questioning , record of interview.*

judgment

Variant: judgement.

- 1) *n. a decision of the court (made by the judge and/or jury). mala-djarr'yunnawuy, mayali'-djaw'yunnawuy. Syn: decision.*
- 2) *n. the formal stating of a court's decision and the reasons for that decision. gämurruwuy. Syn: reasons , reasoning.*
- 3) *n. the sanction or punishment imposed as a result of a criminal trial. dhägir'yunnawuy, dhädir'yunnawuy. Syn: sanction.*

jurisdiction

- 1) *n. the authority of a court to hear criminal charges brought against an accused person. ŋurrŋitj.*
- 2) *n. the region or land area covered by a court's judicial power. warraw', marawili.*

law

- 1) *n. the customs and understandings that maintain peaceful relationships between people. rom. Syn: law and order.*
- 2) *n. a set of authorised rules that everyone in that social group or locality has to obey. rom.*
- 3) *n. the people and institutions (e.g. police) who are responsible for maintaining the rules that govern and maintain peaceful relationships between people. djungaya mala, djungaya, bilitjuman. Syn: police.*

magistrate *n. a judge who presides over a court for minor offences. napuŋgawuy. Syn: stipendiary magistrate.*

Magistrate's Court *n. a court which has authority to hear minor criminal cases and to conduct preliminary hearings. A jury is not present.*

malicious damage *n. the crime of intentionally causing damage to another person's property.*

marital privilege *n. the spouse of an accused person has the legal right not to testify as a witness in criminal proceedings against their spouse (i.e. they cannot be forced to tell the court about communications held with their husband or wife).*

matter *n. a legal proceeding or hearing. Syn: case. See: legal proceeding.*

mention *Variant: mention date. n. the date when a criminal matter is next listed to go before a magistrate. For minor / summary offences, if the accused person does not come to the court as requested, they will be found guilty of all the charges made against them. If an accused person comes before the court, they can decide whether to plead "guilty" or "not guilty". If their plea is "not guilty", this is noted by the magistrate and the case is adjourned to a later date for hearing. walu nhanju birrka'yunnawuywu marr dhu nhama nanya djinanga jarra'nur, yaku lakaram. Syn: pending case/date , awaiting trial , coming time.*

mislead the court *vt. a barrister or solicitor misleads the court when they intentionally provide incorrect information to the court. djarrpi dhawu gurrupan, nyäl-lakaram, mayali'-bilkthun, mayali'-wilkthun. Syn: misinform , misrepresent.*

mitigating circumstances *n. information that helps to explain why an offender should receive a lesser penalty for the crime committed. The judge is the one who decides if the usual penalty for that crime should be reduced or not. diltjipuy gamurru' mala marr dhu nhim'dhunmaram junhi dhagiryunawuy.*

motive *n. the reason why someone behaves in a particular way. (Sometimes there may be more than one motive).*

natural justice *n. the court has a legal responsibility to make sure that all persons accused of a criminal offence are treated fairly. Everyone has a legal right to have their side of the story heard inside the court. Everyone has the legal right to an unbiased hearing. See: right to be heard; right to an unbiased hearing.*

non-parole period *n. the length of time a convicted person is required to serve inside a jail. After this time has passed they may be able to be released on parole if they have been of good behaviour. See: parole.*

'not guilty' finding *n. a finding by a criminal court that the defendant has not committed the crime they are charged with. If there is a significant amount of doubt, then the accused must be found to be 'not guilty'.*

'not guilty' plea

n. the answer given by the accused person inside a criminal court when they believe they are innocent and did not commit the crime.

oath *n. a promise made inside the court which acknowledges that God is also present as a witness. It is a promise to tell the truth about everything. guykthunnawuy dhäruk, dhawu', wäwun.*

offence *n. a crime. Anything that the criminal code law says not to do. wäyuk-bakmaranhawuy, rom-bakmaranhawuy, yätjkurruwuy djämapuy, buku-munhapuy. Syn: crime.*

offender *n. a person who commits a crime or breaks the law. rom-bakmaranhamirr.*

order

1) *n. an instruction or direction from the court. dhanara, dhanara ñarra'ñur. Syn: court order.*

2) *vt. to instruct or direct someone to do something. walamaram, dhäruk-gurrupan.*

parole *n. the early release of a convicted criminal from jail on promise of good behaviour. dhawaṭmaranhawuy, dhayalakunhawuy, wäwun-gurrupan märr dhu walumiriw dhawaṭthun marrtji, walumiriw dhawaṭmaranhawuy.*

plead *vt. to give an answer in response to allegations made. buku-bakmaram, buku-roñanmaram. Syn: respond, reply.*

police *n. persons who are given power by a statute of law (Criminal Code) to enforce law and order in society. They also have power to investigate criminal activities. djuṅgaya, yothu, djuṅgaya wäyukku warrañulñur ñarra'ñur, ñamakuli'ñu.*

police prosecutor *n. a member of the police force who takes up the specialist role of prosecutor inside a Magistrate's Court. djarrma-gänhamirr.*

premises *n. property that belongs to someone else (i.e. buildings or land). wäña, bala', djarrikañ'.*

presumption of innocence *n. a person accused of a criminal offence is assumed to be innocent before the law. However they are no longer innocent if they admit that they committed the offence or are proven to be guilty by a Magistrate. dayarramiriw rom bukmaḱku ga galkun ñarraw'.*

prima facie case

- 1) *n. the decision by a magistrate that there is enough / sufficient evidence for a legal case brought against an accused person to proceed.*
- 2) *n. a prima facie case against the accused person exists if the magistrate (during the conduct of a committal hearing) believes sufficient evidence has been presented. The defendant is then ordered to stand trial in the Supreme Court at a later date.*

primary evidence *n. something (an object, an original document etc.) that the court considers to be the best way to prove or disprove a certain fact. ḡurruḡu dhāwu, dhā-waḡanymirr djorra' dhāwumirr.*

prior conviction *n. a criminal offence committed by a person as previously decided by a court. It refers to the person brought before the court who is accused of committing a new or recent offence. dhorukmirr wāyuk, dhāgir' ḡāthiliḡu. ḡula nhuḡu ga ḡorra dhorukmirr wāyuk ḡāthiliḡu? Do you have any prior convictions?*

prisoner's friend *n. a person who is familiar with legal procedures and is present to befriend and assist the accused person when they are being interviewed by police. The accused has a right to ask for such a person to be present, and cannot be forced to answer any legal questions before they arrive. buḡa', balpara, ḡuḡga'yunamirr.*

probation *n. the release of a convicted offender into the community under close supervision. They are required to be of good behaviour and this is monitored by probation officers who are employed by Dept of Community Corrections. This is an alternative to imprisonment. If the offender does not comply with the conditions of their parole, then they will have to re-appear in court and will then be ordered to serve a jail sentence. gakaḡ nhāma.*

proof *n. evidence that convinces the court that an alleged fact is true. Syn: evidence.*

prosecution

- 1) *n. a hearing of criminal charges inside a court of law. Syn: criminal proceeding.*
- 2) *n. the group of people who bring charges against the accused person to the court. The other group of people who defend the accused person are called the defence. djarrma-waḡaḡu walal. Opp: defence.*

prosecutor *n. the person who brings the charges against the accused person into the court. This person acts on behalf of all the citizens who are owners of the criminal code law. djarrma-gānhamirr, ḡamakuli'ḡuw djungaya, ḡamakuli'ḡuw djawarrkmirr, ḡamakuli'ḡuw djarrma-gānhamirr.*

protective custody *n. to have legal control over the movements of another person in order to protect them from being harmed. ḡapmaranhaminyawuy, ḡunganhaminyawuy.*

questioning

questioning *n. the process of interviewing a person suspected of committing a crime. This is done by the police. Syn: interview.*

record of interview *n. the transcribed document of all that was said on audio tape during a police interview. dapmaranhawuy dhäwu.*

release without conviction *n. a decision by a magistrate to release a person guilty of committing an offence on a good behaviour bond. A conviction is not recorded. dhawatmaram dhägir'miriw. See: suspended sentence; good behaviour bond.*

remand

- 1) *vtr. to order that a person accused of a criminal offence be held in jail. Prisoners on remand are usually waiting for their trial to begin or waiting for sentencing to occur. rojanmaram bala dharrungulil ga galkun ñärraw'.*
- 2) *n. the special place in a jail where people who are awaiting trial or sentencing are detained / held. galkunnawuy wäña djinaga dharrungunur.*

resisting arrest *n. the criminal offence of obstructing a police officer and preventing him/her from doing his/her job as an officer of the law. If the police determine to arrest someone, then that person is legally obligated to follow the lawful directions of the arresting officer. Later on at the interview they can choose i) whether or not they wish to talk; ii) whether or not they would like a prisoner's friend to be with them as a witness; iii) to ask for a lawyer to be present.*

restitution *n. an amount of money paid by an offender to a victim. The money is paid as compensation for property that the offender has damaged or destroyed.*

right to an unbiased hearing *n. the right (legal power) of a person to have their case heard by a person (magistrate, judge etc.) who is neutral or impartial. See: natural justice.*

right to be heard *n. the right (legal power) of an accused person to have their side of a dispute heard. It is one of two natural justice rules. See: natural justice.*

right to silence *n. the right (legal power) of a suspect to refuse to answer questions asked by the police. It also refers to the right of an accused person to remain silent and not have to answer questions in court during their own trial. See: self-incriminating evidence.*

sanction *n. the authorised punishment given to persons who break the law. It may be a fine, time in jail, a community service order etc. dhä-gir'yunnawuy.*

self-defence *n. the act of causing injury to another person while defending oneself, another person or one's own property. These reasons may be given in a court by a person to defend themselves against a charge of causing injury to another person. These reasons may be accepted by the court if the amount of force used was not excessive (i.e. more than needed).*

self-incriminating evidence *n. evidence given by a person which indicates their involvement in committing a crime. See: evidence; right to silence.*

sentence

- 1) *vtr. to punish someone by imposing a penalty (i.e. jail, or monetary fine). raypirri'-gurrupan romkurr, rom-lakaram. Syn: discipline , punish , penalise.*
- 2) *n. the punishment for a crime as ordered by a magistrate or judge. rom-lakaranhawuy.*

show remorse *vref. to be very sorry about a wrong action committed against someone else. buku-wanangunhamirr. Syn: be sorry , contrite , penitent.*

statutory declaration *Variant: stat dec. n. a written statement declared to be true by the person making it. It must be signed by the person making the statements. The signing of this document must be witnessed by a person who is authorised by the court.*

statutory offence *n. a criminal offence as specifically referred to by an Act of Parliament. See: Act.*

subpoena

- 1) *n. a court order compelling a person to come to the next court hearing. It could be given to a witness, interpreter, or expert witness so that the court hearing can proceed without further delays.*
- 2) *vtr. to serve a subpoena document on that person. lakaram dhanaray, dharrwunum marrtji. Syn: require to attend.*

summary offence *n. a criminal offence which is heard in a Magistrate's Court. A jury is not required because the offence is considered to be small or minor.*

summons

- 1) *n. a document issued by a court compelling a person to appear before that court for a specific reason. dhäruk-dju'yunnawuy djorra'.*
- 2) *vtr. to call a person to appear in court for a specific reason. wäthun nhanqu räli njarra'lil.*

suspect

suspect

- 1) *n. a person suspected by police of having committed a criminal offence, who has not had formal charges issued against them. birrka'yunnawuy. Syn: accused , defendant.*
- 2) *vtr. to distrust someone. To disbelieve an accused person's denial concerning a crime they are alleged to have committed. dhä-bäyṇu'yun, märr-djuḷkthun, märr-yuḷkthun, birrka'yun. Syn: distrust , doubt , suspicious of , disbelieve.*
- 3) *vtr. to assume or imagine something (about what might be the truth). yan guyaṇa. Syn: assume , presume , believe somewhat , suppose , speculate , imagine.*

suspended sentence *n. a magistrate may decide to try and help a convicted person not to re-offend by imposing other disciplinary conditions as an alternative to jail. A sentence of imprisonment is declared, but the offender is not required to go to jail. However a criminal conviction is recorded against that person's name. mel-wuyunnawuy rom, mel-wuyunnawuy rom märr ṇayi dhu warrāḡul nhina guykthunmirr. See: release without conviction.*

swear an oath *vtr. to make a solemn promise to tell the truth. guykthun. Syn: take an oath.*

testify *vtr. to answer questions asked by the prosecutor, magistrate or defence lawyer asked inside a court. rumbalkum lakaram, yuwalkkum lakaram.*

trespass *Lit: 'to cross a boundary'. vtr. to unlawfully interfere with a person, or their land, or their property. bar'parrmaram. Syn: intrude , infringe on , impose on.*

trial *n. the hearing of a criminal matter in a higher court (e.g. Supreme Court), not in a Magistrate's Court. Syn: legal proceedings.*

unreliable witness *n. a person who the court finds to have told contradictory information during the giving of their testimony. matha dharrwa, riwarrtja, nyäl'-ḡumurr. Opp: credible witness.*

vacate *vtr. to change a date for a hearing or a plea in favour of another more suitable time. baduwaḡuyun rulwaḡdhunnawuy walu.*

verdict *n. the findings (decision) of a magistrate. mayali'-ḡjaw'yunnawuy.*

victim *n. a person who has been injured or violated by a person who has committed a crime. If the crime committed against them is proved to have occurred, they may be entitled to receive compensation. burakinyawuy, bakthunnawuy.*

warrant of apprehension *Variant: warrant. n. a court document authorising the arrest of a person suspected of a criminal offence.*

witness

- 1) *vintr.* **to see or observe and be ready to testify in court about that observation.** **nhäma melyu.** *Syn:* attest to , evidence , observe , see , vouch for.
- 2) *n.* **a person who sees or hears an event.** **mel-marŋgi, yuwalkkunhamirr, buthuru-marŋgi, maŋutji-marŋgi.**

Worship *n.* **a term of great respect given to a magistrate when spoken to by barristers, witnesses etc. during a court session. (e.g. Your Worship; Her Worship; His Worship).**