

Glossary

Accused	The person who is charged with breaking a criminal law and is brought before the court to be tried.
Attest	To declare something.
Beyond a Reasonable Doubt	The facts presented in court must convince the jury of the accused's guilt, and the evidence must not show any other sensible explanation of the events.
Burden of Proof	The responsibility for proving all the facts of the case. In a criminal trial, the Crown has the burden of proof.
Charge	A statement of the offence which the accused is said to have committed.
Charge to the Jury	Instructions given by the judge to the jury at the close of a case. The judge explains the law which applies to the offence and what the jury's task is.
Complainant	A person who claims that they have been wronged.
Convicted	Found guilty and sentenced by the judge. A convicted person will have a criminal record.
Counsel	A lawyer representing one of the parties at trial.
Cross-Examination	see <i>Examination</i> .
Crown	1. The state or government. 2. see <i>Crown Prosecutor</i> .
Crown Prosecutor	The Crown prosecutor (sometimes called Crown counsel or simply Crown) is the lawyer who represents the Crown at the trial.
Defence	1. A defence is the accused's answer to a charge. 2. see <i>Defence Lawyer</i> .
Defence Lawyer	The defence lawyer (sometimes called defence counsel or simply defence) represents the accused person and ensures that their rights and interests are protected.
Deliberations	Discussion of the facts of the case by the jury so that a verdict may be reached. The jurors deliberate by themselves in the jury room.
Direct Examination	see <i>Examination</i> .
Evidence	The facts about the crime which the witnesses tell the court, and any objects that support their statements (such as the item that was stolen if the charge was theft.) The objects are introduced to the court under the name "exhibits."

Examination	The questioning of a witness in court by counsel. Direct examination occurs when the lawyer who calls the witness to the stand asks questions. Cross-examination is the questioning of the witness by the lawyer for the other side.
Exhibit	An object related to the crime which is brought before the court as evidence.
Hearsay	This occurs when a witness repeats in court what someone else has said instead of telling what they personally saw or experienced. This type of testimony is not permitted.
Impartial	Showing no favour to either side. For the jurors, this means not making up their minds about the guilt or innocence of the accused until all the evidence has been presented.
Indictable Offence	The most serious kinds of acts are indictable offences which usually have higher maximum sentences than summary offences. Generally, a person accused of an indictable offence may choose to have a jury.
Indictment	The official document which the Crown uses to begin the trial process. It states the charge against the accused.
Juror	One of the twelve people with the responsibility of deciding the question of the accused's guilt or innocence.
Leading Question	A question which tells or suggests the answer that the witness should give. This type of question is not allowed during the direct examination of a witness. An example of a leading question is "The car was red, wasn't it?" Instead, counsel should ask "What colour was the car?"
Oath	A promise to tell the truth in court which is made by a witness when they take the stand.
Objection	A request by a lawyer for the judge to decide whether or not another counsel broke one of the rules about questioning. (Also see <i>Overruled</i> and <i>Sustained</i> .)
Overruled	When one counsel believes the opposing counsel has broken the rules, they raise an objection to the judge. If the judge thinks the rule has not been broken, the judge will say to the lawyer who raised the objection "Objection overruled" and tell the opposing counsel to continue.
Plea	The accused's answer to the reading of the charge. This answer will be "guilty" or "not guilty."
Prosecute	To bring an accused person to trial on a charge.
Provost Officer	Special officer who is responsible for escorting the accused in and out of the courtroom.
Sentence	The order made by the judge if the accused is found guilty, stating what is to happen to them.

Straw Vote	Unofficial vote that lets the group know what each member is thinking at a certain point in time. It is useful to facilitate discussion in order to reach a unanimous decision.
Summary Offence	Less serious types of offences fall into this category. Unless the law says otherwise, the maximum sentence for a summary offence is a fine of \$2000 and/or imprisonment for six months.
Summation	A closing argument to the jury made by the Crown prosecutor and the defence lawyer. Each side outlines the evidence that was presented and stresses how it proves or does not prove the case against the accused.
Sustained	When one counsel believes the opposing counsel has broken the rules, they raise an objection to the judge. If the judge thinks the rule has been broken, the judge will say to the lawyer who raised the objection "Objection sustained" and tell the opposing counsel to stop, rephrase their question, or move on.
Testimony	The evidence given by a witness in court under oath.
Witness	A person who is called before the court to give evidence because they have information related to the crime.