

“EXPLAINING LEGAL TERMS TO CHILDREN”

QUICK REFERENCE GUIDE

Below are some examples of alternate definitions or explanations which you may like to use when explaining complex legal terms to children.

REMEMBER:

The children you interact with may have never been part of the justice system before, so you need to break down terms to as simple language as possible, and look for alternative definitions where you can.

Remember that children don't hold all the background knowledge and experience of the legal system like you do!

Term	Alternative Definition/Explanation
Accommodation required before release	You will stay in detention for now until X person has organised where you will live while on bail.
Adjourn/Stand over	You will have to come back to Court on X day because your case is not finished.
Admissions	This is when you have said certain things to show that either part or the whole of the Police version of what happened is true.
Alleged	This is what the Police say happened. The Court has not yet decided whether this is true.
Appeal	If you disagree with the Court's decision you can apply to a different Court and your lawyer will argue that the decision should be changed or cancelled.
Applicant/Protected person/Person in need of protection (PINOP)	A person who has applied to the Court to be protected from you.

1. Apprehended Violence Order (AVO)	1. This is an order the Court makes to protect a person/people from you because they fear for their safety. This means you will not be able to do some things, for example, you may not be allowed to see or talk to the person including through the internet or texting. There are two types of AVO: i) Apprehended Domestic Violence Orders (ADVO) and ii) Apprehended Personal Violence Orders (APVO).
i) Apprehended Domestic Violence Order (ADVO)	i) This is an AVO where the people involved are related to each other, they live together or one person is a carer for the other. This usually includes when people are in a relationship of boyfriend/girlfriend.
ii) Apprehended Personal Violence Order (APVO)	ii) This is an AVO where the people involved are not related, they don't live together or one person isn't a carer for the other. For example, neighbours.
2. Interim AVO	2. This is a temporary order the Court makes to protect a person until the Court decides whether a final order should be made.
Arrest	In some situations the Police can stop you from leaving a place and make you go with them to a Police station.
Attend	You have to turn up to the Police station or turn up to Court when told to do so.
Background report	This is a report that Youth Justice (YJ) will prepare after you have spoken with a JJ officer. They will ask you and others some questions. This report will help the Judge decide your sentence.
Bail	You have been released from custody as long as you turn up to Court when told to do so and stick to certain conditions until your case is finished.
Bail security	This is where another person (for example your parent/carers) promises to pay money if you don't go to Court on X day. They will lose that money if you don't go to Court on X day.
Bail to continue	You have to turn up to Court on X day and continue to do or not do the things that your bail says.
Bail refused	You will have to stay locked up in Youth Justice Centre until your next Court date.
Bail variation	This means changing the conditions of your bail.
Bond	This is where the Court has found you guilty but as long as you do not commit any more crimes for X amount of time the Court will not take any further action against you. You may also need to stick to certain conditions, for example: you may have to report to Youth Justice and follow their rules while on the bond. If you commit another crime or don't follow the conditions of the bond you may have to come back to Court and the Court can make a different order. If this happens you could go into detention.

Breach	You have broken a rule that the Court has said you must follow. For example, you have not followed a condition of your bail/AVO/parole/probation/bond.
Brief (of evidence)	This is the evidence that Police are going to use to show that you have broken the law.
Caution	A formal warning not to break the law again.
Character acknowledgement	This is where a suitable person agrees in writing that they know you and think you will stick to your bail.
Charge	This is when the Police think they have enough evidence to show you have broken the law. You will have to come to Court if you have been charged with an offence so that the Judge can decide.
Co-defendant	The co defendant is another person who is charged with breaking the law with you.
Committal hearing	If an offence is very serious, the Children's Court may listen to or read the evidence and make a decision whether to deal with the case or send it to another Court.
Committed for trial	The Children's Court has decided that the offence is too serious and your case will go to another Court that can deal with more serious offences.
Community Service Order	A Court has decided that you must do unpaid work for the community, for example: picking up rubbish.
Compensation/Reparation	This means you have to pay money or do some things to fix the damage you caused when you broke the law; for example, cleaning up graffiti.
Comply	You must do what the Court has told you to do.
Concurrent	This is when two sentences run together. For example, two concurrent sentences of 12 months means that you would spend 12 months in Youth Justice Centre.
Conditions	These are rules you must stick to. For example, you are not allowed to hang out with X person.
Conditional bail	You have been given bail, but there are conditions you must stick to.
Consent	This is where you understand and agree to something.
Control Order	The Court has decided that you will be locked up in a Youth Justice Centre for X months for what you have done.
Conviction	The Court has decided that you broke the law and this will go on your criminal record. For a period of time you may, if asked, have to tell certain people about the offence even though you have been dealt with in the Children's Court. However, you should <u>always</u> talk to a lawyer about this first because the law is complicated.
Court Attendance Notice	This document tells you when to come to Court and which Court to go to. It also tells you what crime the Police say you have committed and which Police officer is in charge of the case.
Cumulative	This is when two sentences run one after the other. For example, two cumulative sentences of 6 months means that you would spend 12 months in a Youth Justice Centre.

Curfew	You are not allowed to leave home between X times unless you are with X person. OR You are not allowed to be in a public place between X times unless you are with X person.
Custody	This means you are locked up in a Youth Justice Centre.
Control order	You will be locked up in a Youth Justice Centre for X amount of time.
Defence	Your defence is what you say happened to show that you did not do what the Police say you did.
Defendant	The person who has been charged with breaking the law.
Deposit	This is where someone pays money to the Court as part of your bail to promise that you will turn up to Court when you are told to do so. If you don't come to Court they will lose that money. If you stick to your bail and come to Court, they will get the money back.
1. Dismissed 2. Offence proved and dismissed	1. The Court makes this order when the Police have not been able to prove to the Court that you did the crime. 2. Sometimes the Court will dismiss a case even though you have been found guilty. This means that the Court has decided not to give a penalty even though you have been found guilty. This might be because of the type of offence or because of the circumstances of the case.
Drug/Alcohol restriction	Not to drink alcohol or take drugs that are not prescribed by your doctor.
Evidence	This is what your lawyer or the Police will use to show the Court what they say happened.
Hearing	If you say you are not guilty the Court will listen to all the evidence to decide whether or not you are guilty. This is called a hearing. The Prosecutor will give the Police version of what happened, your lawyer will give your version and you may need to tell the Court what happened. Other witnesses will come to Court and tell the Court what they saw and heard.
Informant	Generally, this will be the Police officer in charge of the case. That Police officer will be responsible for providing information to the Prosecutor about the case.
Guilty	The Court has decided that you broke the law.
Judgment	This is the decision the Judge makes.
Judge	The person who sits at the front of the Court, hears the case and makes decisions is called a Judge. You should call that person 'Your Honour'.
Mention	This is where you go to Court with your lawyer and some decisions are made about how the case is going to go ahead. It is usually only a short process in Court but you may need to wait for your case to be called.
No association	This means you can't hang out with or contact a certain person/people.
No contact	This means you can't go near or try to contact X except through your lawyer.
Not guilty	The Court has decided that you did not break the law.

Offence	The offence explains how the law has been broken. Breaking the law is called 'committing an offence'. E.g. Assault is an offence and break, enter and steal is another type of offence.
Order	The Court has said that you must do X. For example, the Court might order you to do community service, or pay a fine, or it might even order that you be locked up in a Youth Justice Centre for a period of time.
Parole	If the Court has said that you will be locked up for a period of time you may be released after some of that time (on parole) as long as you don't commit another crime and you follow the rules that the Court has said you must follow. Otherwise you will go back into detention for the rest of the time. For example, the Court might give a control order for 12 months with a non-parole period of 6 months. This means you may be released on parole after 6 months as long as you follow the rules for another 6 months.
Place restriction	This means you can't go within X metres/km of X area.
Plea	This is when you either admit that you have done what the Police say you have done (guilty) or you say you have not done this (not guilty).
Police facts	This is the Police version of what happened. You might not agree with this and you may want your lawyer to tell the Court your version of what happened.
Probation	This like a bond but more serious. This is where the Court has found you guilty but as long as you do not commit any more crimes for X amount of time the Court will not take any further action against you. You may also need to stick to certain conditions, for example: you may have to report to Youth Justice and follow their rules while on the probation order. If you commit another crime or don't follow the conditions of the probation order you may have to come back to Court and the Court can make a different order. If this happens you could go into detention for a period of time.
Prosecutor/Police Prosecutor	This is the person who tells the Court the Police version of what happened.
Remand	You will be locked up in detention while you wait to come back to Court.
Remorse	You understand that what you did was wrong and you are sorry for it.
Reporting to police	You have to turn up to the Police station on X day/s and have your name marked off.
Reside/Residence	This is the place where you live.
Resume	The Court will start again on X day or at X time.
Revoke	If you have broken a condition of your bail/parole/bond/probation order, the Court may decide to cancel the order and make a different one or change the conditions.
Security Agreement	This means that a suitable person has agreed to pay X dollars to the Court if you don't turn up on the day you are told to. Sometimes the Court will say that the money has to be handed into the Court until your case is finished.

Sentence	This is the punishment the Judge gives you for breaking the law. There are different options available depending on what you have done, your personal circumstances and whether you have committed other crimes. E.g. A fine, a bond, a community service order, a probation order, a control order are all types of sentences.
Serious Children's Indictable Offence (SI)	This means you have committed an offence that is too serious for the Children's Court to deal with and your matter will go to a Court that can deal with more serious matters.
Submission	This is what your lawyer and the Prosecutor will say to argue their case.
Subpoena	This is an order of the Court for someone to come to Court to be a witness or to provide documents or other things that might be relevant to the case.
Supervision	This means you will report to Police or Youth Justice or another organisation and do what they say you must do.
Surety/Security	A surety is the person who makes a promise or pays an amount of money to make sure you turn up to Court on X date. Security is what they are prepared to give up if you don't come to Court.
Suspended Control Order/Suspended sentence	This means that the Court has found you guilty and has sentenced you to be locked up, but you will not be locked up as long as you stick to certain conditions and don't commit any other crimes.
Travel restriction	You are not allowed to travel away from some place. For example, you may not be allowed to leave Australia.
Unconditional bail	This means you must come to Court when told to do so but you don't have any rules that you must follow while you are on bail.
Undertaking	This means a promise to do something.
Vacate	This means the Court has changed the date. You will need to come to Court on X date instead.
Warrant	This Court order gives the police the power to arrest you or Youth Justice to keep you at a Youth Justice Centre.
Without conviction (offence proved)	This means that in most situations you won't need to tell people about coming to Court for this offence, even if they ask. However, sometimes you will. For example, if you applied for a job as a Police officer or a teacher. However, you should <u>always</u> talk to a lawyer about this first because the law is complicated.
Witness	Someone who comes to a hearing to tell the Court what they saw or heard. You might be a witness.
Youth Justice Conference	This is a meeting with you, the victim, support people, the Police officer to talk about what happened. This is a chance for the victim to explain to you how they feel and a chance for you to say sorry for what you have done. It is also a chance to figure out the best way to fix the damage you have caused.