

Glossary on Assault and Battery

aggravated assault	When the assault is more serious than a common one and carry stricter penalties (occasioning actual bodily harm, maliciously wounding and more)
arrest warrant	A written document issued by a magistrate for the arrest of a person.
assault occasioning actual bodily harm (ABH)	Assault causing any hurt or injury calculated to interfere with the health or comfort of the victim.
assault with intent to resist arrest	This offence happens when someone commits a common assault at the time of a lawful arrest or detention with the aim of resisting or stopping the arrest, whether it is them or someone else being arrested.
assault/common assault (Magistrates' Court)	An intentional or reckless act that causes someone to be put in fear of immediate physical harm. Actual physical contact is not necessary to constitute an assault.
assaulting a constable in the execution of his duty	This offence is a common assault on police or prison officers acting in the execution of their duty, or on a person helping them. Off-duty police officers may act in the course of duty if an incident occurs which justifies their immediate action as long as they acted lawfully.
attempted robbery	Assault caused with the intention of stealing
Bail	The release by the police, magistrates' courts or Crown Court of a person held in legal custody while awaiting trial or appealing against a criminal condition. Remember that you can translate this as: "temporary release", "monitored release", "provisional release", "release under oath", this last one if no conditions are applied.

battery (Magistrates' Court)	The intentional or reckless application of physical force to another person.
<i>causing</i> grievous bodily harm (GBH)	To cause really serious physical injury. Severe depression amounts to serious bodily harm.
CPS - Crown Prosecution Service	An organization created by the Prosecution of Offences Act 1985 to conduct the majority of criminal prosecutions. The CPS is independent of the police and is organized on a regional basis, each region having a Chief Crown Prosecutor. It also advises police forces on matters related to criminal offences. It decides whether to charge a suspect and the type of charge that best suits the alleged crime committed.
Cross-examination	When a witness is questioned by the other party, i.e. by the party that did not call him or her as witness.
Crown Court	The Crown court has an unlimited jurisdiction over all criminal cases tried on indictment and also acts as a court for the hearing of appeals from magistrates' courts. (see <i>Three-tier system</i> below)
defendant	A person against whom court proceedings are brought.
Expert-witness	An Expert Witness can be anyone with knowledge or experience of a particular field or discipline beyond that to be expected of a layman. An expert witness has to be agreed by the court as such.
First questioning	When a witness is asked questions by the part that called him or her as witness.
indictable offence	An offence that may be tried on indictment. Most serious common-law offences are indictable (e.g. murder, rape).

indictable-only offence	The most serious indictable offences that are only tried in the Crown Court.
indictment	A formal document accusing one or more persons of committing a specified indictable offence or offences. It is read to the accused at the trial.
<i>inflicting</i> grievous bodily harm (GBH)	To cause really serious physical injury. Severe depression amounts to serious bodily harm.
Magistrates' courts	The principal function of magistrates' courts is to provide the forum in which all criminal prosecutions are initiated. In the case of an indictable offence or an offence triable either way for which the defendant elects trial on indictment, the court sits as "examining justices" to consider whether or not there is sufficient evidence to justify committing the defendant to the Crown Court. For a summary offence or an offence triable either way in which the defendant elects summary trial, the court sits as a court of summary jurisdiction, i.e. as a criminal court of trial without a jury in which justices, assisted by the clerk to the justices, decide all questions of law and fact.
offences triable either way	Less serious offences that may be tried in the magistrates' court or in the Crown Court.
prosecutor	The person who institutes criminal proceedings on behalf of the Crown and the person who conducts the litigation.
racially or religiously aggravated assault	When the assault causes bodily harm and it has been motivated by racial or religious prejudice.
Security	In criminal proceedings: a sum of money deposited to ensure that the defendant attends court.

sexual assault	A criminal offence in which a person (A) intentionally touches another person (B), where the touching is sexual, where B does not consent to the touching, and where A does not reasonably believe that B consents.
solicitor	A legal practitioner undertaking the general aspects of giving legal advice and conducting legal proceedings.
Surety	A surety is a person who may pledge an amount of money to the court or prove that money is available to pay the securities.
Three-tier system	A system for allocating cases between Crown Court centres. First-tier centres deal with both criminal and High Court civil cases and are served by High Court puisne judges, circuit judges and recorders. Second-tier centres deal only with criminal cases, but are served by the same kinds of judge as first-tier centres. Third-tier centres deal only with criminal cases and are served by circuit judges and recorders only.
Witness	In court proceedings, a person who gives evidence, either by way of a written statement or orally.