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The A to Z guide to legal phrases

The language used in law is changing. Many lawyers are now adopting a plain English style. But there are still legal phrases that baffle non-lawyers.

This guide is intended to help in two ways:

- it should help non-lawyers understand legal phrases; and
- it should give lawyers ideas for explaining the legal phrases that they use.

The explanations in this guide are **not** intended to be straight alternatives. Although we hope the explanations will prompt lawyers to make sure they only use legal jargon where strictly necessary, our wording is there to explain ideas and concepts rather than to give strict legal definitions.

The terms and explanations are for the law in England and Wales.

This is very much a 'work in progress', and we welcome any corrections, clarifications or suggested additions. Please e-mail us with your comments.

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A

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Abandonment giving up a legal right.

Abatement is: cancelling a writ or action;

stopping a nuisance;

reducing the payments to creditors in proportion, if there is not enough money to pay them in full; or

reducing the bequests in a will, in proportion, when there is not enough money to pay them in full.

Abduction taking someone away by force.

Ab initio	from the start of something. (This phrase is Latin.)
Abovementioned	describing something which has been referred to before in the document.
Abscond	when a person fails to present themselves before the court when required, such as when they have been released on bail and not returned to court.
Absolute	complete and unconditional.
Absolute discharge	someone who has been convicted of an offence being released without any penalty. (They may still have to pay compensation though.)
Absolute owner	the only owner of property such as equipment, buildings, land or vehicles.
Absolute privilege	a defence which can be used in a case of defamation if the statement from which the defamation arose was: • made in Parliament; • in fair and accurate news reporting of court proceedings; or • made during court proceedings.
Abstract of title	a document, drawn up by the seller, summarising the title deeds to a property (such as a house).
Abuse of process	when criminal proceedings are brought against a person without there being any good reason and with malice.
Abuttals	the parts of the boundaries of a piece of land which touch pieces of land alongside.
Acceptance	when an offer is accepted unconditionally and a legally binding agreement is created.
Acceptance of service	when a solicitor accepts a writ on behalf of a client.
Acceptor	the organisation (such as a bank) which will pay the cheque or bill of exchange it has accepted.
Accessory	someone who encourages or helps another person to commit a crime.
Accomplice	someone who helps another person to commit a crime.

Accordingly	a word used in legal documents which means therefore or so.
Accounts	the record of an organisation's income, spending and financial situation.
Accumulation	reinvesting income generated by a fund back into the fund.
Accused	the person charged with a criminal offence.
Acknowledgement	admitting that someone has a claim or admitting that a debt exists.
Acknowledgement of service	when a defendant agrees that a writ or originating summons ('claim form' since April 1999) has been received. The defendant fills in, signs and sends back the acknowledgement of service to confirm in writing that the documents were received.
Acquit	when a court lets a person go without any penalty. If a court decides that a person is not guilty of a crime, or the case has not been proved, it will acquit the person.
Acquittal	the court's decision that a person is innocent of the crime they were charged with.
Action	using the law to make a claim.
Active trust	a trust where the trustees have other responsibilities rather than to just let the beneficiaries have the trust's assets when they ask for them.
Act of bankruptcy	an act which, if carried out by a person with debts, could have led to bankruptcy proceedings against that person.
Act of God	an extreme naturally occurring event (such as an earthquake, avalanche or flood) that could not have been anticipated.
Actual bodily harm	hurting another person but less severely than would amount to grievous bodily harm.
Actual loss	an insurance term which means that the insured item no longer exists.

Actuary	an expert on pension scheme assets and liabilities, life expectancy and probabilities (the likelihood of things happening) for insurance purposes. An actuary works out whether enough money is being paid into a pension scheme to pay the pensions when they are due.
Actus reus	an act which is illegal, such as theft. (This term is Latin.)
Additional voluntary contribution (AVC)	extra money people in occupational pension schemes can pay in to increase their pension benefits.
Ademption	when a gift in a will cannot be made because the item no longer exists.
Ad hoc	for a particular purpose. For example, a committee set up to deal with a particular situation is an ad hoc committee. (This term is Latin.)
Ad idem	- in agreement. (This term is Latin.)
Ad infinitum	endlessly or forever. (This term is Latin.)
Adjourned sine die	when a court case has no date fixed for it to continue.
Adjournment	postponing a court hearing.
Adjudge/adjudicate	to give an official judgement about something. For example, if someone cannot pay their debts a court may adjudge them bankrupt.
Adjudication order	the former name for a court order which made someone bankrupt. It has now been replaced with the term bankruptcy order.
Administration order	an order made by a county court when a person or a company cannot pay their debts. Normally the court orders that the debts are repaid by instalments and as long as the debtor keeps to the order the creditors cannot do anything else to recover their money.
Administrator	someone who has been appointed:to manage the affairs of a bankrupt business; or to manage the estate of someone who has died without leaving a will.
Admissibility of evidence	which evidence can be presented in court. Evidence must be relevant to the case but even some relevant

	evidence cannot be presented, such as hearsay or evidence of little value. The judge decides whether or not evidence can be used in the case.
Admission	one side in a case agreeing that something the other side has alleged is true.
Admonition	reprimanding of a defendant by a judge even though the case against the defendant has been discharged (dropped).

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Adoption	the system which people use to become parents, even though they are not the child's natural parents.
Adoptive child	a child who has been legally adopted.
Adoptive parent	a person who has legally adopted a child.
Ad valorem	in proportion to the value. An ad valorem duty goes up as the value of the goods, shares and so on that it is charged on rises. (This term is Latin.)
Adverse possession	intentionally occupying land to prevent the rightful owner or tenant using it.
Adverse witness	a witness who gives evidence which damages the case of the side which asked the witness to testify for them.
Advocate	is: • the lawyer who speaks in court for a client; or • a Scottish lawyer who is the equivalent of a barrister in England and Wales.
Affidavit	a written statement which is sworn to be true by the person signing it. It is sworn before someone authorised by the court.
Affirm	to: • solemnly promise to tell the truth in court; • solemnly promise to tell the truth in an affidavit; • confirm a decision made by a lower court; or • allow a contract to continue even though it could have been cancelled because it was fundamentally breached.
Affirmation	solemnly promising to tell the truth when giving

	evidence. It is an alternative to swearing an oath when the person giving evidence does not wish to.
Affray	fighting unlawfully. It is a criminal offence.
Aforementioned	describing something referred to previously in the document.
Aforesaid	describing something which has been said or referred to before in the document.
Agency	the relationship between a principal and an agent.
Agent	someone appointed to act for a principal.
Age of consent	the age when a girl can consent to have sexual intercourse. In the UK it is 16.
Aggravated assault	a more serious type of assault such as one leading to actual bodily harm.
Aggravated burglary	entering premises armed with a weapon, intending to steal goods.
Aggravated damages	extra damages awarded because the defendant has caused the victim anguish, loss of self-respect or shame.
Aggravated vehicle-taking	stealing a vehicle, driving it dangerously and as a result injuring someone or damaging property.
Agricultural holding	a type of tenancy agreement for someone doing agricultural work. The tenant has special rights including, when the tenancy finishes, the right to compensation for improvements to the land. If the land has deteriorated the tenant must compensate the landlord.
Aiding and abetting	helping someone to commit a crime.
Airspace	the space in the atmosphere directly above a piece of land. If you own a piece of land you also own the airspace above the land.
Alias	a false name.
Alibi	a claim that a person was elsewhere when a crime was committed. If someone is accused of a crime their alibi is: • evidence that the person was somewhere else

when the crime was committed; or
- an attempt to prove that the person was somewhere else when the crime was committed.

Alien someone from a foreign country.

Alienation transferring the ownership of property from one person to another.

All and sundry everybody.

Allegation an unproved statement declaring that something has happened.

Alleviate to lessen or reduce.

Allocation rate the proportion of money left to be invested after charges have been taken off when money is paid into a fund (such as a pension fund). For example, if the charges were 2%, the allocation rate would be 98%.

Allotment shares allocated to a buyer. An allotment of shares in a company gives the owner (of the allotment) an unconditional right to buy the shares at a fixed price.

All that words used in a conveyance to introduce the description of the property which is being conveyed.

Alternate director a person appointed by a director to take the director's place.

Alternative verdict a person being found guilty of a less serious crime than the one they were charged with. If a more serious charge has not been proved and the defendant has been found not guilty, the defendant may be found guilty of a less serious crime instead. For example, there may not be enough evidence to convict someone of a murder but there may still be enough for a manslaughter conviction. This is known as an alternative verdict.

Amalgamation two or more companies combining.

Ambiguity capability of more than one meaning. When a statement's meaning is not clear because it is capable of more than one meaning, it contains an ambiguity.

Ambulatory will a will which can be revoked or changed while the

	person who made it is still living.
Amnesty	not punishing a person for an offence they have committed and removing details of the offence from the court's records is giving the person an amnesty.
Ancient lights	the right not to have the light you receive from a neighbour's land blocked.
Annual accounts	the summary of an organisation's financial transactions during the year covered by their accounts, and a 'snapshot' of the assets and liabilities at the end of the year.
Annual general meeting	the yearly meeting of the members of an organisation which must be held to meet legal conditions. The annual accounts are presented for approval at this meeting.
Annual return	a return which must be sent by companies to the Registrar of Companies. Each year the officers of a company have to fill in an annual return with details of the members, officers, shares issued and other information about the company. The return is then sent to Companies House for filing and is available for inspection by members of the public.
Annuitant	the person who gets paid an annuity.
Annuity	an amount paid out every year to someone. The money usually comes from an insurance policy. It can be split up into smaller amounts and be paid out more frequently, such as monthly. It is usually paid for the rest of the beneficiary's life.
Annul	to cancel: • an invalid marriage; or • a bankruptcy order.
Ante	before. (This is a Latin word.)
Antecedents	details about the past of a defendant or a person found guilty of a crime. The information about previous crimes, background and bad behaviour is given to the court before the sentence is given.
Antenuptial agreement	a legal agreement between two people who are about to get married. The agreement sets out how the couple's assets will be divided between them if they later divorce.

Anton Piller order	an order by the High Court. It gives the applicant permission to search the defendant's premises for evidence, inspect it and take it away. It is intended to prevent evidence being destroyed or hidden which would be relevant to the case. (Since April 1999, this has been known as a 'search order'.)
Appeal	asking a court to overturn a lower court's decision. If the decision of a court is disputed it may be possible to ask a higher court to consider the case again by lodging an appeal.
Appellant	the person who is appealing to a court against a decision of a lower court.
Appellate jurisdiction	the authority a court has to hear an appeal against a decision made by a lower court.
Appertaining to	
Applicant	the person asking a court to do something.
Appointee	the person who gets the benefit of the use of a power of appointment.
Appointor	the person who uses a power of appointment.
Appurtenances	minor rights in land such as a right to do something on the land.
Arbitrage	is: • borrowing money at a low rate of interest to lend out again at a higher rate; or • buying and selling in different markets to make profits out of the price differences.
Arbitration	settling a dispute by using a referee. If a dispute goes to arbitration it is settled by an independent referee. It avoids having to use the courts to settle the dispute.
Arbitrator	the independent referee who settles a dispute without the need to use the courts.
Arraignment	a procedure at the start of a trial when details of the offences are read out and the defendants are asked whether they will plead guilty or not guilty.
Arrest	to seize someone, usually because they are suspected of committing a crime, and take them into

	custody.
Arrestable offence	a crime for which a person may be arrested without a warrant being needed.
Arson	setting fire to something to cause damage to it.
Articles	the clauses in a document. A company's articles set out its rules. The articles form part of the memorandum and articles of association.
Articles of association	documents which set out a company's rules.
Assault	when someone threatens another person with physical harm. Words on their own do not amount to assault but threatening gestures do, even if the person threatened is not touched.
Assent	a document used by personal representatives to transfer property to a beneficiary.
Asset	something owned such as a building, a vehicle or money in the bank.
Assign	to formally transfer something, such as when ownership of property is transferred from one person to another.
Assignment	the formal transfer of the rights to something. An example would be a bank customer assigning to the bank the right to receive the benefits from a life insurance policy to give the bank security for a loan.
Assurance	insurance cover for an event which will definitely happen, such as death.
Assure	to transfer the ownership of something.
Assured	the person whose life is insured or who is entitled to receive the benefit from the assurance cover.
Assured shorthold tenancy	a type of tenancy agreement under which the landlord has the right to take the property back at the end of the tenancy agreement.
Attachment of earnings	a court order that deductions be made from a person's earnings. The employer pays the money collected to the court and the court pays the money to the people it is owed to.
Attest	to sign to witness a signature on a document.

Attorney — a person appointed to act for another person (such as when someone cannot look after their own affairs). A formal document called a power of attorney is used to appoint the attorney.

It is also the name used for a US lawyer.

Attorney General — the chief legal adviser to the Government. He or she must be a Member of Parliament (or have a seat in the House of Lords) and must be a barrister.

Audit — an independent examination of an organisation's records and financial statements (report and accounts) to make sure that:

- the financial statements show a fair reflection of the financial position at the accounting date;
- the income and spending is shown accurately;
- the financial statements meet any legal conditions; and
- the financial statements are drawn up clearly.

Auditor's report — a report and opinion, by an independent person or firm, on an organisation's financial records.

Authorised share capital — the highest amount of share capital that a company can issue. The amount is set out in the company's memorandum of association.

Authorised investments — investments in which a trustee is permitted to invest trust money, under an Act of Parliament.

Autopsy — an examination of a dead body to find the cause of death.

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Bail — to pay, or promise to pay, an amount of money so that an accused person is not put in prison before the trial. If the accused person does not appear at the trial, the court can keep the money put up for bail.

Bailee — a person or organisation looking after valuable items to keep them safe for the owner.

Bail hostel — accommodation found for people charged with offences and released on bail, but who do not have a permanent address so that the police know where to find them.

Bailiff	an officer of the court who carries out the court's orders, such as taking a debtor's goods and selling them to get money to pay the debtor's debts. A bailiff can also personally deliver (serve) documents on people.
Bailiwick	the area over which a bailiff has jurisdiction.
Bailment	transferring possession of goods from the owner to someone else. The ownership of the goods is not transferred. A practical example of bailment is that someone who hires a television has possession of it, but the rental company still owns the television.
Bailor	the owner of valuable items which are in the possession of another person or organisation for safekeeping.
Balance sheet	a summary of an organisation's financial position. It lists the values, in the books of account on a particular date, of all the organisation's assets and liabilities. The assets and liabilities are grouped in categories and paint a picture of the organisation's strengths and weaknesses.
Banker's draft	a cheque drawn by a bank on itself. It is used when there must be certainty that a cheque will be paid.
Bankrupt	someone who has had a bankruptcy order
Bankruptcy order	an order that a court may issue against someone if they cannot pay their debts when they are due to be paid. This order takes ownership of the debtor's property away from the debtor and allows much of the property to be sold. The money raised is divided between the creditors following strict rules.
Bankruptcy search	a document which says whether or not someone is bankrupt.
Bar	the collective term for barristers. When a lawyer becomes a barrister, it is called 'being called to the bar'.
Bare trust	a trust which holds property on behalf of a person until they ask for it back.
Bare trustee	someone who holds property on behalf of another person until asked to return the property.
Bargain and sale	a contract to sell any property or investment in land

	that a person owns.
Barrister	a lawyer who can speak in the higher courts, which a solicitor is not allowed to do.
Barter	a way of paying for things by exchanging goods instead of using money.
Battery	using physical force on someone either intentionally or carelessly and without their agreement. It would not be battery if two boxers took part in a boxing match, even though they hurt each other during the match, because they would have agreed to fight each other.
Bearer	the person who has a document in their possession.
Bench	the name for the judges or magistrates in a court.
Bench warrant	a warrant issued by a court for the arrest of an accused person who has failed to attend court. It is also issued when someone has committed contempt of court and can't be traced.
Beneficial interest	belonging to a person even though someone else is the legal owner. If something really belongs to someone, even if that person does not legally own it, they have a beneficial interest in it. If, for instance, parents hold an investment on behalf of their child they are the legal owners, but the child is the beneficial owner of the investment.
Beneficial owner	the owner of a piece of land (and the buildings on it). Beneficial owners have the right: • to the income their land generates; or • to use the land for their own purposes. It can also be a person who really owns something even though it is held in someone else's name.
Beneficiary	someone who benefits from a will, a trust or a life insurance policy.
Bequeath	to leave something (such as possessions or money) to someone in your will. You cannot bequeath land or real property but you can devise them instead.
Bequest	something given in a will, other than land or real property.

Bigamy	the offence committed by someone who is already married but still goes through a marriage ceremony with someone else.
Bill of costs	the invoice the solicitor sends to a client giving details of any disbursements the solicitor has paid on behalf of the client, the fee the solicitor is charging and any expenses.
Bill of exchange	a signed written order, instructing the person it is addressed to to pay an amount of money to someone. A cheque is a type of bill of exchange.
Bill of lading	a document recording the goods a ship carries and the terms the goods are carried under.
Bill of sale	a document which transfers ownership of goods from one person to another.
Binding effect	the fact that an agreement must be kept to by law.
Binding over	an order by a court in a criminal case. If someone has misbehaved or broken the peace, magistrates can bind them over. The magistrates can order them to pay a bond. This will be forfeited (won't be repaid) if the binding over terms are broken.
Binding precedent	following the decisions made by higher courts. Lower courts must follow the precedents set by the decisions of higher courts and this is called binding precedent.
Blackmail	demanding payment from a person in return for not revealing something shameful about them.
Bodily harm	physical injury or pain.
Bona fide	genuine, sincere or in good faith. (This term is Latin.)
Bona vacantia	goods or an estate belonging to nobody. (This term is Latin.)
Bond	a written promise to repay a debt at an agreed time and to pay an agreed rate of interest on the debt.
Bonded goods	goods for which a bond has been paid to HM Customs and Excise as security for the duty owed on the goods.
Bonded warehouse	a warehouse approved by HM Customs and Excise for storing goods imported into the UK until the duty

	on them has been paid or the goods have been exported to another country.
Bonus shares	free shares that a company offers to its shareholders, in proportion to their existing shareholdings.
Book value	the value of a fixed asset, such as a building or machine, as recorded in an organisation's books. It is usually the amount paid for the asset less an amount for depreciation.
Bought note	a document showing details of a purchase by someone for a third party. Stockbrokers produce bought notes for their clients. The bought note shows details of the investments the broker has bought for the client, including the price paid and any commission and duty charged.
Breach of contract	failing to carry out a duty under a contract.
Breach of duty	failing to carry out something which is required by law, or doing something the law forbids.
Breach of the peace	
(or breaking the peace)	when harm is done to someone, or harm is threatened.
Breach of trust	when a trustee does something which is against the trust's rules or fails to do something required by the trust's rules.
Break clause	a clause in a contract which allows it to be ended.
Bridle way	a path or road which is a right of way for people walking and people leading or riding horses. Cyclists can use it as well but must give way to pedestrians and horses.
Brief	a document prepared by a solicitor which contains the instructions for the barrister to follow when acting for the solicitor in court.
Building preservation notice	a notice that a building is listed. If a building is in danger of being altered or demolished, but the local planning authority thinks it should be preserved, the authority can issue a notice that the building is listed.
Burglary	entering a building without permission with the intention of stealing or doing damage.

Bye-law or bylaw	a law made by a local authority. It only applies within the local authority's boundaries.

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Call	asking people to pay for new shares they have applied for. A company makes a call when it asks buyers of its new shares to pay some, or all, of the share price. When this happens the shares are being called up.
Called-up capital	all the shares called by a company when it issues shares. When calls have been made for the whole of the share price and the shareholders have paid, the shares become paid-up share capital.
Canon law	the name for the rules used for running a Christian church.
Capacity	someone's ability to enter into a legal agreement. For example, a minor would not be able to buy something on credit.
Capital allowances	allowances that you can sometimes claim when you buy long-term assets, such as machines, to use in your business. You claim part of the cost against your profits before your tax is worked out for the year.
Capital gain	the profit you make if you sell or dispose of a long-term asset (such as a building) for more than it cost you.
Capital gains tax	a tax charged on certain capital gains.
Capital punishment	punishing someone for a crime by killing them.
Capital redemption reserve	A company has to have this reserve in its financial records and in its accounts if any of the shares it has issued are cancelled. The reserve cannot be paid out to the members until the company is liquidated and so it prevents the company's capital being reduced.
Careless driving	driving a car without consideration for other people using the road.
Care order	an order by a court instructing the local authority to care for a child.
Cartel	an agreement between businesses to restrict competition and keep prices high.

Case law	law that is based on the results of previous court cases.
Case stated	the written statement setting out the facts of a case. It is produced by a magistrates' court when asking the High Court for an opinion on the law.
Causation	one thing being done causing something else to happen.
Cause of action	the reason someone is entitled to sue someone else.
Causing death by careless and inconsiderate driving	an offence committed by someone who is unfit to drive because of drink or drugs, but nevertheless drives a vehicle and kills another person. The punishment for careless and inconsiderate driving is less severe than for dangerous driving.
Causing death by dangerous driving	a criminal offence committed by someone whose driving is dangerous and results in another person being killed. The courts consider dangerous driving to be a very serious offence.
Caution	is: • a warning given by the police to a suspected criminal when the suspect is arrested; • a warning given by the police when they release a suspect without prosecution that, if there are any more offences committed by the suspect, the first possible offence may be taken into account; or • a document sent to the Land Registry by someone who may have a right over land, which demands that no dealings in the land are registered until the person with the right has been told.
Caveat	a warning. (This is a Latin term.)
Caveat emptor	'buyer beware'. It is used to warn people buying goods that they may not be able to get compensation if the goods they buy are faulty. (This is a Latin term.)
Central Criminal Court	the most senior court covering the centre of London.
Certificate of incorporation	a certificate stating that a company has been incorporated (that is, it has a separate existence from its members). The Registrar of Companies issues the certificate of incorporation once a company has been formed.

Certificate of origin	a certificate stating in which country the goods being imported were made.
Certiorari	an order by the High Court that a case should be reviewed. If the High Court considers that a case heard in a lower court is flawed it may order that it be reviewed by the High Court. (This word is Latin.)
Challenge for cause	when the defence objects to a juror and says why it objects.
Challenge to a jury	when either side in a case objects to the people who have been selected to serve on the jury before they are sworn in.
Challenge to the array	when the defence objects to all the jurors.
Challenge without cause	happens when the defence objects to a juror but does not say why.
Chambers	the offices used by barristers and the judge's private office.
Chancery Division	a section of the High Court. It deals with cases involving trusts, land, company law, patents and so on.
Charge	means: • to formally accuse someone of committing a crime; • to use property as security for a debt (such as a mortgage); or • a direction given by a judge to tell the jury what they must do.
Chargeable event	an event that may create a tax liability (tax bill).
Chargeable gain	a gain on which capital gains tax is payable. If a capital asset such as a building is sold or disposed of at a profit, tax on the gain has to be worked out unless the capital asset is one exempted by law.
Charge certificate	a certificate which the Land Registry issues to the legal mortgagee (the lender) who has lent money on the security of registered land. It is proof of the legal mortgagee's right to the security.
Charges clause	a clause which appears in some contracts and sets out who should pay for certain items.

Charge sheet	the document on which a police officer records details of the accusation against a suspect.
Charges register	part of the certificate which is evidence of someone's title. The register shows details of any mortgages, restrictions on the use of the land or rights someone else may have over the land such as a right of way.
Charging clause	trustees can charge the trust for their services if there is a charging clause.
Charging order	a court judgement which a creditor may get against the person or organisation which owes the money, giving the creditor security over the debtor's property for repayment of the debt.
Charity	an organisation set up to do good for the community, such as help poor people, educate people and protect animals. Most charities are registered with the Charity Commission.
Charity Commission	an organisation responsible for checking that charities are run properly. It also decides whether proposed charities can be placed on the register of charities.
Chattel	any property except freehold land.
Chattels personal	the name for tangible goods (goods which can be touched) such as watches, clothes, furniture and so on.
Chattels real	another name for leasehold land.
Cheat	a person who fails to send tax returns to the tax authorities or fails to pay the tax owing, such as income tax or value added tax.
Cheque	a written order, addressed to a bank, instructing the bank to pay an amount of money to the person or organisation named on the cheque. The bank takes the money out of the relevant customer's account.
Cheque card	a card issued by a bank to a customer. It guarantees that a cheque used with the card will be paid if the person issuing the cheque has kept to all the conditions.
Chief rent	money charged regularly on freehold land. Despite its name it is not rent.

Child abuse	molestation or ill-treatment suffered by a child.
Child assessment order	an order which a local authority may apply to a court for to assess a child's situation if there are concerns about the child's welfare.
Children in care	children looked after by a local authority. The local authority takes on the responsibility for the children as if it was a parent.
Child Support Agency	part of the Department of Social Security. It supervises the assessment and payment of maintenance for children.
Child Support Maintenance	the amount of maintenance the parent not living with their child must pay.
Chose	an item of property (anything which can be owned).
Chose in action	a right such as a patent, or a right to recover a debt. A chose in action does not physically exist. For example, you cannot touch patents or rights because they have no physical existence.
Chose in possession	an object which physically exists, such as furniture.
Circuit	any of the six legal regions into which the United Kingdom is divided up. Each circuit has its own system to administer the courts within the circuit.
Circuit judge	a judge who presides over (is in charge of) cases in the Crown Court and county courts.
Circumstantial evidence	evidence which suggests a fact but does not prove the fact is true.
Citation	is: • a summons to appear in court; • quoting from a completed case to support an argument; or • a notice sent out by someone wanting grant of probate or letters of administration, asking people to come forward if they object to it.
Citizen's arrest	an arrest by someone who is not a police officer. The offence must be being committed or have already been committed when the arrest is done.
Civil court	a court which does not hear criminal cases. It deals with people's rights such as collection of debts.

Claim	means: • to apply for a right; • to demand a remedy; or • an application for something such as a right.
Claimant	the person making a claim.
Clause	a section in a contract.
Clearing bank	one of several major banks which work together to exchange and pay for cheques which their customers have written.
Clerk to the Justices	a solicitor or barrister who helps in court by advising the magistrates.
Close company	a company controlled by five people or fewer, or by its directors.
Closing order	an order prohibiting the use of a house because the house is not fit for humans to live in.
Codicil	extra pages to change a valid will which needs a minor alteration. The codicil must be signed and witnessed and then be attached to the will.
Codifying statute	a statute used to bring together all the strands of the law on a particular subject.
Coercion	a defence that a crime was committed because the person accused was forced to do it.
Collateral	extra security for a debt. If there is a main security for a debt, such as a house being security for a mortgage, any extra security supplied is called collateral.
Commissioner for oaths	a person appointed by the Lord Chancellor to administer (manage) the swearing of oaths.
Committal for sentence	happens when magistrates have found someone guilty of a crime but they think their sentencing powers are not enough. The magistrates transfer the case to the Crown Court where a higher sentence can be imposed.
Committal for trial	when magistrates look at the evidence in a case and then send the case to be heard in the Crown Court.
Committal order	an order used to send someone to prison for

	contempt of court.
Committal proceedings	a hearing where magistrates work out if there is enough evidence of a serious crime to justify a trial by jury.
Committee of inspection	a committee appointed from the creditors of a company in liquidation to oversee the liquidator's work.
Common assault	when someone threatens another person with physical harm, even if they are not touched. This is a less serious type of assault (compare with aggravated assault). Threatening someone with a weapon such as a knife or gun is common assault.
Common duty of care	the duty of the occupier of premises or land to take reasonable care of visitors to make sure that they are kept safe.
Common seal	the seal companies use to authenticate (validate) important company documents. The company's name is engraved on the seal.
Commorientes	closely related people who die at the same time, and it is unclear which of them died first. (This term is Latin.)
Community service order	an order to do work in the community without pay. If someone has been convicted of a crime they may be given a community service order as an alternative to being sent to prison.
Companies House	the office which stores company information such as annual accounts, directors' names and addresses and the registered office address. People who are interested in a company can inspect some of the information stored.
Company secretary	a person appointed by the directors of a company who is responsible for making sure that the company complies with the Companies Acts.
Compensation	money paid to make up for damage or loss caused.
Compensation for loss of office	lump-sum compensation a company pays to an employee whose contract has been ended.
Compensation order	an order by a court to a criminal to compensate the victim of the crime.

Completion	transferring property in exchange for payment. When there is a contract to sell land, there will be an initial payment to confirm the contract. Completion happens when the ownership of the land is transferred to the person buying it, in return for the seller receiving the rest of the purchase price.
Composition with creditors	an arrangement between a debtor and the creditors. The creditors agree to accept a proportion of what is owed to them in full settlement.
Compulsory purchase	taking land and giving compensation for it. When land is needed for a project, such as a road, local authorities and other public bodies can take the land off the landowner. Compensation has to be paid to the landowner.
Compulsory winding up	the liquidation of a company by order of the court. It usually happens because the company has not been able to pay its bills on time and a creditor has presented to the court a petition for winding up the company.
Concealment	failure by one side negotiating a contract to disclose (reveal) information which the other side would need to consider when deciding whether or not to go ahead.
Concealment of securities	hiding or destroying a document such as a will to gain benefit for yourself or cause other people loss of benefit.
Conclusive evidence	evidence which by law cannot be disputed.
Concurrent sentence	when someone is sentenced for different crimes and the sentences are to be served at the same time.
Condition	a fundamental part of an agreement. The agreement or contract may collapse if a condition is broken.
Conditional agreement	an agreement which depends on a certain thing happening in the future. If the event does not happen the agreement will not start to operate.
Conditional discharge	A court may decide not to punish a criminal immediately for an offence and may conditionally discharge the criminal instead. If the criminal re-offends the court may impose a punishment for the original offence as well as the later ones.
Conditional sale	an agreement by which the seller remains the owner

agreement	of the goods until all the instalments have been paid and all other conditions have been met.
Condition precedent	something which must happen before a contract starts.
Condition subsequent	something which may happen in the future and, if it does, will affect a contract.
Confiscation order	If someone has been convicted of a crime the court may order the person convicted to pay the court a sum of money. This is called a confiscation order.
Consecutive sentence	when someone is sentenced for different crimes and the sentences have to be served one after another.
Consent	to agree to something. A contract would not be valid unless all the parties consented to it.
Consideration	the price you pay for something.
Consignee	the person goods have been sent to.
Consignor	the person who sent the goods.
Consistory Court	a court for the clergy. There is one in each diocese.
Conspiracy	is: • an agreement by two or more people to commit a crime; or • some people acting together and harming a third party.
Constructive	describing something which may not be set out in the law but will nevertheless be considered to exist.
Constructive dismissal	because the employer has broken fundamental terms of the contract of employment the employee has been forced to resign. The employee can apply for a hearing before an industrial tribunal.
Constructive notice	presuming something is known. The law sometimes presumes that a person knows something even though they do not.
Consumer credit agreement	an agreement by a creditor, such as a bank, to provide up to £25,000 of credit to a consumer.
Contempt of court	the offence of:

- disobeying a court order;
- abusing a judge during a court case; or
- interfering in the administration of justice.

Contemptuous damages — tiny damages. Sometimes, even though a case has been won, the court may consider that it should not have been brought to court and will only award tiny damages.

Contingency fee — the claimant's lawyer gets paid the fee only if the case is won by the claimant. The fee is often a proportion of the damages won.

Contingent legacy — a gift in a will which will only be made if certain conditions are met.

Contract — an agreement between two or more people (or groups) to do (or not to do) something. The agreement can be enforced by law.

Contract for services — a contract under which materials and services are provided by a contractor.

Contract of exchange — a contract to exchange goods without money being involved (barter).

Contract of service — the contract between employer and employee.

Contributory negligence — your own carelessness contributing to the damage done to you or your property. When someone suffers damage or injury their claim for damages may be limited if they have contributed to the harm done through their own carelessness.

Conversion — is:

- exchanging one sort of property for another (such as exchanging money for goods); or
- acting unlawfully to deprive someone of their ownership of goods.

Convey — to transfer the ownership of something.

Conveyance — the name of the document which transfers the ownership of land.

Conveyancing — the name for carrying out all the actions needed to transfer the ownership of a piece of land.

Conviction — being found guilty of a criminal offence.

Copyright	a legal right which stops things being copied without permission. If you have the copyright over something (such as a book or music), nobody can copy it or reproduce it without your permission.
Coroner	a person who investigates the cause of death when a person has suffered a sudden, violent or suspicious death.
Corporate body(or corporation)	a group of people acting together, such as a club. The group has a separate legal identity from the individual members' identities. A company is another example of a corporate body.
Corporation tax	a tax which companies pay on their profits.
Corpus	the name for a body (usually dead). (This word is Latin.)
Corpus delicti	is: • the body of a person who has been killed unlawfully; or • the facts which make up an offence.(This phrase is Latin.)
Counsel	a barrister or group of barristers.
Counterclaim	making a claim in court against someone who has already made a claim in court against you.
Counterfeit	something that is forged or copied with the intention of deceiving.
Counterpart	an exact copy of a document.
County court	a court which deals with civil cases such as disputes over unpaid debts and negligence claims. It does not deal with criminal cases.
County court judge	a judge who presides over (is in charge of) cases in the county courts.
Coupon	a dated piece of paper attached to a bond. The coupon has to be surrendered (given back) to get the interest or dividend on the bond.
Court of Appeal	a court which hears appeals against the decisions of other courts.
Court of Protection	a court which administers (manages) the assets and

	affairs of people who cannot look after themselves, such as people who are mentally ill.
Covenant	a contract or legally binding promise.
Creditor	a person you owe money to.
Creditors' voluntary winding up.	If a company is insolvent (cannot pay its debts when they are due for payment) the members can pass a special resolution to have the company wound up (liquidated). This is called a creditors' voluntary winding up.
Criminal damage	the criminal offence of causing damage to someone else's property either recklessly or intentionally.
Criminal responsibility	When someone reaches the age when the law says they are able to commit a criminal offence they have reached the age of criminal responsibility.
Cross-examine	to question a witness for the other side in a case.
Crown Court	the court where people indicted of criminal offences are tried.
Culpa	blameworthiness or a fault. (This word is Latin.)
Cum dividend	with dividend. If a share is sold cum dividend, the buyer will receive the dividend that was declared just before the share was bought.
Cumulative preference shares	shares which carry forward unpaid dividends. If dividends on these shares have not been paid in previous years the arrears must be paid before a dividend can be paid on the ordinary shares.
Curfew	a court ordering someone to stay at a named place at stated times of the day.
Customs duties	duties which are charged on imports of goods into the UK and on some exports.

D

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Damages	the name for money awarded by a court as compensation.
Dangerous driving	a standard of driving which falls far below that of a

	careful, competent driver and it would be obvious to such a driver that it was dangerous to drive that way. A driver found guilty of dangerous driving would be disqualified from driving by the court.
Debenture	a document issued by a company which acknowledges that some or all of the company's assets are security for a debt (usually to a bank). It is also the name for certain long-term loans to companies.
Debt	money owed.
Debtor	someone who owes you money.
Debt securities	debts which can be bought and sold, such as debentures.
Deceit	when one person deliberately misleads a second person with a statement which causes the second person to do something that causes them damage.
Decree	an order by a court.
Decree absolute	the final court order which ends a marriage.
Decree nisi	a provisional court order which orders that a marriage should be dissolved.
Deed	a legal document which commits the person signing it to something.
Deed of arrangement	a written agreement which can be made, when a debtor is in financial trouble, between the debtor and the creditors. It is intended to benefit the creditors and avoid the bankruptcy of the debtor. The creditors get a proportion of the money owing to them.
De facto	in fact or in reality. (This term is Latin.)
Defamation	making a statement, either orally or in writing, which damages someone's reputation.
Default	failing to do something which had been agreed to.
Defence	the name for the team of people (lawyers and so on) defending against proceedings brought against someone. It is also in a civil case a written statement (pleading) by the defendant setting out the facts that the defence will rely on.

Defendant	a person defending a court action which has been taken against them.
De jure	rightfully. (This term is Latin.)
De minimis non curat lex	the law will not take account of trifling matters. (This phrase is Latin.)
Dependant	someone who depends on someone else for financial support.
Deponent	a person who swears on oath that a statement is correct.
Deposition	a statement, by a witness, made under oath.
Depreciation	the drop in value of an asset due to wear and tear, age and obsolescence (going out of date), as recorded in an organisation's financial records.
Derogation	damaging someone's rights or entitlements.
Determination	ending an agreement.
Devise	to leave land in a will.
Devisee	the person who is left freehold property or land in a will.
Diminished responsibility	a defence sometimes used for someone charged with murder, that they suffered lowered powers of reasoning and judgement because of their unusual state of mind. If their defence succeeds they will be convicted of manslaughter.
Diocese	the area covered by a bishop's authority.
Diplomatic immunity	immunity given to certain members of foreign embassies, such as ambassadors, for crimes they may have committed.
Direction/directing	judges must give juries instructions on points of law. This is called directing the jury.
Director	a person appointed to help manage a company's affairs.
Disbursement	a payment made by a professional person, such as a solicitor or accountant, on behalf of a client. The money is claimed back by including it on the bill for professional services which is sent to the client.

Discharge	release from: • a commitment such as a debt; • a contract because it has finished or the parties agree to end it; or • a punishment for a crime.
Disclaim/disclaimer	to give up a claim or a right or refuse to take over an onerous (having more obligations than advantages) contract. A disclaimer can also be a notice to limit responsibility.
Discovery	one party in a civil case revealing to the other party the documents relevant to the case under the first party's control and allowing them to be inspected.
Discretionary trust	a trust in which the trustees can decide who will benefit from the trust and how much they will get.
Disposal (dispose of)	selling, transferring or giving away something.
Distrain/distress	to seize goods as security for an unpaid debt.
Divorce	the legal end to a marriage.
Divorce petition	an application for the legal ending of a marriage.
Domicile	the country where your permanent home is, even if you are living somewhere else for now.
Domiciled	permanently based in a country.
Domicile of choice	the country in which you make your home, intending it to be permanent.
Domicile of origin	the domicile a newborn child has. This is usually its father's domicile or, if the father is dead, its mother's.
Drawee	the organisation which will pay a bill of exchange (such as a cheque). In the case of a cheque, this is the bank that the cheque is drawn on.
Drawer	the person or organisation that has written a bill of exchange, such as a person who has written a cheque.
Duress	threatening or pressurising someone to do something.
Duty	a levy charged by the Government, usually when things are bought, such as shares or buildings.

E

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Easement — a right to use someone else's land, such as a right of way.

Enabling legislation — legislation which authorises government ministers or bodies to create detailed rules to accomplish general principles set out in the legislation. For example it may allow a minister to create rules or laws for a particular body, such as the police, to follow.

Endorsement — a change to the original terms of a contract, such as an insurance policy.

Endowment policy — a type of insurance policy which will pay out a lump sum on a fixed date in the future, or when you die if this happens earlier.

Enduring power of attorney — a power of attorney which takes effect in the future. If a person is capable of dealing with their own affairs at present, they can sign an enduring power of attorney. It will only come into effect when they are no longer capable of looking after their own affairs. It gives authority to the person appointed to act for the person who signed the power of attorney.

Engrossment — preparing the final version of a legal document ready for it to be executed (made valid such as with a signature).

Equitable mortgage — the type of mortgage where the purchaser owns the property which is security for the mortgage.

Escrow — a deed which has been supplied but cannot become effective until a future date, or until a particular event happens.

Estate — is:

- all a person owns at the date of their death; or
- the right to use land for a period of time.

Estimate — an offer to do stated work for a set price.

Estoppel — a rule of law that a person cannot deny something they previously said, if someone else acted on what was said and their position was changed, possibly for the worse, as a result.

Et seq — 'and in the following pages'. It is sometimes written in books and documents. (This phrase is abbreviated

	from the Latin 'et sequeus'.)
Euthanasia	killing someone to end their suffering.
Excess of jurisdiction	someone such as a judge acting without authority.
Exchange of contract	swapping identical contracts. When land is sold, the person selling and the person buying both sign identical copies of the contract and exchange them. The contract is then binding on both of them.
Excise duty	a type of tax levied on certain goods such as petrol. It is also levied on some activities such as gambling and on certain licences for activities (such as driving a car on the public roads).
Exclusions	the things an insurance policy does not provide cover for. They will be listed in the insurance policy.
Exclusive licence	a licence under which only the licence holder has any rights.
Ex dividend	without dividend. If a share is sold ex dividend, the seller will receive the dividend declared just before it was sold.
Execute	to carry out a contract.
Executed	describing a document which is made valid (in the eyes of the law) such as by being signed or sealed.
Executive director	a director who usually works full time as a director of the company.
Executor	a man appointed in a will to deal with the estate, according to the wishes set out in the will. Today it is often used to refer to a woman as well.
Executory	describing something, such as a contract, which has not been started yet.
Executrix	a woman appointed in a will to deal with the estate, according to the wishes set out in the will.
Exemplary damages	damages given as a punishment for the defendant.
Ex gratia	describing something done or given as a favour rather than a legal obligation. (This term is Latin.)
Ex parte	done by one side only in a case. (This term is Latin. Since April 1999, it is often replaced with 'without

	notice'.)
Expert witness	an expert in a particular field who is called to give an opinion in a court case.
Ex post facto	describing a law which is retrospective (it affects past acts as well as future ones). (This term is Latin.)
Extradition	the handing over of a criminal to the country the crime was committed in.
Extraordinary general meeting	a general meeting of the members of a company which is not the annual general meeting.
Extraordinary resolution	a resolution for consideration by the members of a company at a general meeting of the members.
Ex works	available from the factory. When something is sold ex works the buyer can collect it from the place it was manufactured or from some other place agreed by the buyer and seller.

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Factor	is: • someone buying or selling for a commission; or • an organisation which provides finance for a business by advancing money on the value of the invoices the business sends out.
False imprisonment	wrongfully keeping someone in custody (for example in prison).
False pretence	misleading someone by deliberately making a false statement.
False representation	lying in a statement to persuade someone to enter a contract.
Family Division	the part of the High Court dealing with marriage breakdowns and probate.
Felony	the former term used for serious crimes such as rape or murder. It is still in use in the USA.
Feme covert	a woman who is married.
Feme sole	a woman who is not married or no longer married.

Feu	a lease which lasts for ever.
Feu duty	a yearly charge on a feu (which only applies in Scotland).
Fiduciary	in a position of trust. This includes people such as trustees looking after trust assets for the beneficiaries and company directors running a company for the shareholders' benefit.
Final judgement	the court's final decision in a civil case.
Fitness to plead	whether or not the person charged is capable of making an informed decision. If, because of mental illness, a person charged with an offence is unable to understand what is going on the person may not be fit to plead guilty or not guilty.
Fixed charge	a charge which provides security for money lent. The charge is over a specific property.
Floating charge	a charge used to provide security for money lent to a company. The charge is over the company's liquid assets (such as stocks and debtors) but it is only triggered by an event such as liquidation.
Forbearance	when one party to an agreement does not pursue rights under the agreement even though the other party has not kept to its terms. An example would be someone not suing to recover an overdue debt.
Force majeure	an event which cannot be controlled and which stops duties under an agreement from being carried out. (This phrase is French.)
Foreclosure	repossessing property. If a mortgagor (the borrower) has failed to keep up the repayments on a mortgage, the mortgagee (the lender) may apply to the High Court for an order that the debt be repaid by a particular date. If the debt is not repaid the property will be repossessed. This procedure is called foreclosure.
Forfeiture	the loss of possession of a property because the tenancy conditions have not been met by the tenant.
Fostering	looking after other people's children. Sometimes children are looked after by people who are not their parents (natural or adopted). It usually happens because the parents cannot look after the children properly because of changed circumstances such as

	illness.
Fraud	lying or deceiving to make a profit or gain an advantage, or to cause someone else to make a loss or suffer a disadvantage.
Fraudulent conveyance	ownership of land being transferred without consideration and with the intention of defrauding someone.
Fraudulent preference	someone who is insolvent paying one of their creditors while knowing there is not enough money to pay the others.
Fraudulent trading	running a business with the intention of defrauding its creditors or other people.
Freehold	describing land that only the owner has any rights over.
Free of encumbrances	no one else having any rights over something. When property is owned by someone and nobody else has any rights over it, it is owned free of encumbrances.
Frustration	stopping a contract. Sometimes a contract cannot be carried out because something has happened which makes it impossible. This is called frustration of contract.
Futures contract	a binding contract to buy or sell something on a date in the future at a fixed price.

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Garnishee order	a court order to a third party who owes money to a judgement debtor to pay the money to the judgement creditor.
General damages	damages a court will give to compensate for a wrong done without needing specific proof that damage has been done to the claimant ('plaintiff' before April 1999). The court presumes that losses or damage exist such as in a libel case.
General meeting	a meeting of the members of a company to make decisions about the company.
Grant	proof that you are entitled to deal with a dead person's estate. The grant is issued by the Probate Registry.

Grant of probate	a certificate proving that the executors of a will are entitled to deal with the estate. When a person dies the executors fill in various forms for the Probate Registry. The forms are then sent to the registry together with the will and the death certificate. A registrar examines all the documents and, once satisfied with everything, issues the grant of probate.
Grievous bodily harm	intentionally causing serious physical harm to someone. This is more serious than actual bodily harm.
Guarantee	a promise by a person (the guarantor) to repay a debt owed by a second person if the second person fails to repay it. For example, a guarantee is sometimes required by a bank before it will lend money to a customer.
Guarantee company	a company whose members only have to pay the amount they have agreed to contribute, if the company has to be wound up. They do not have to pay in extra money if there is not enough to pay all the company's debts.
Guarantor	a person or organisation that promises to pay a debt owed by a second person, if the second person fails to repay it.
Guardian	a person appointed formally to look after the interests of a child, or of someone who is not capable of looking after their own affairs.
Guilty	- a court's verdict that the person charged with a crime committed it.

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Habeas corpus	a writ which can be applied for to order a person's release if they have been imprisoned unlawfully.
Harassment of debtors	the illegal act of attempting to collect a debt by threatening, or habitually acting in a way that humiliates or distresses, a debtor.
Harassment of occupiers	the illegal act by a landlord of using, or threatening to use, violence, or interfering with the tenant's enjoyment of the property, in an attempt to repossess the property.
Hearsay evidence	evidence given in court of something said to the witness by another person.

Hereditament	any property which is capable of being inherited.
High Court (of Justice)	part of the Supreme Court. It is split into three divisions called: • Queen's Bench Division; • Chancery Division; and • Family Division.
Hire	to pay to borrow something for a period.
Hire purchase	a form of credit which allows the purchaser to have possession of the goods shown in the hire purchase agreement. Ownership passes to the purchaser when the fee and all the instalments have been paid.
HM Customs and Excise	a government department responsible for administering (managing) value added tax, customs duties and excise duties.
HM Land Registry	a registry with offices in towns and cities throughout the UK which keep records of registered land.
Holding company	a company which controls another company, usually by owning more than half of its shares.
Hostile witness	a witness who: • refuses to testify in support of the people who called them; or • testifies in a way which differs from their previous statement.
House of Lords	the highest court in the UK.
Housing associations	organisations run to provide housing for people. They are not intended to make a profit.
Hypothecation	a person giving a bank authority to sell goods which have been pledged to the bank as security for a loan.

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Indict	using legal means, to officially accuse someone of committing an offence.
Indictable offence	an offence which can be tried by jury in the Crown Court.
Indictment	a document setting out the details of the offence a

	defendant is accused of.
Intangible property	property which does not physically exist, such as a right or a patent.
Interest	a legal right to use property.
Interlocutory judgement	a provisional judgement. (Since April 1999, this had been replaced with the phrase 'Judgment for an amount and costs to be decided by the court').
Interlocutory proceedings	the first things to be done before a civil case comes to trial. They include pleading (preparing the formal written statement) and discovery (stating the documents, under one party's control, which are relevant to the case and making them available to the other party) so that there are no surprises when the trial starts.
Interrogatories	in a civil case, formal questions from one side which the other side must answer under oath.
Intestacy/intestate	when someone dies without leaving a will. Their estate is divided up between their relatives following the rules set by law.
Intimidation	threatening or frightening someone into doing something.
Issue	the legal word for: • children; or • the matter to be decided by a court action.
Issued share capital	share capital which has been allocated to shareholders who have subscribed for (asked for) shares.

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Joint and several liability	two or more people responsible for repaying a debt. They are each responsible individually to repay all the debt as well as being responsible as a group.
Joint lives policy	a life assurance policy on more than one person's life. The policy pays out on the first death.
Joint tenancy	two or more people having identical shares in land.
Joint will	a single will which two or more people make to cover

	all their estates. Probate has to be obtained on each death.
Joyriding	taking a vehicle without permission and using or allowing it to be used without authority.
Judge	a person whose job is to adjudicate in court cases. The Crown and the Prime Minister appoint judges. Most are barristers but some are solicitors.
Judge advocate	a lawyer who advises a military court which is trying an offence.
Judge Advocate General	a lawyer who is in charge of military justice in the British Army and the Royal Air Force.
Judge Advocate General's	
Department	a government department which appoints barristers to advise army and air force courts.
Judge Advocate of the	
Fleet	a lawyer who is in charge of military justice in the British Navy.
(Office of the)Judge	
Advocate of the Fleet	a government department which appoints barristers to advise naval courts.
Judge in chambers	describes a hearing in front of a judge which is not held in court.
Judgement	a decision by a court.
Judgement creditor	a person who is owed money and who has been to court and obtained a judgement for the money owed.
Judgement debtor	a person who owes the money a court judgement says is owed.
Judgement in default	getting a judgement against you because youfailed to do something. If a civil case has gone to court but the defendant does not do something required by the court (such as turn up), judgement for the claimant ('plaintiff' before April 1999) may be given.
Judgement summons	a summons to appear in court to disclose (reveal) income and assets under oath because a judgement

	debtor has failed to pay the judgement debt.
Judicial discretion	a degree of flexibility about the way courts do things.
Judicial immunity	immunity that a judge normally has from being sued for damages when acting as a judge.
Judicial precedent	Lower courts have to follow the decisions of higher courts. This is called judicial precedent, binding precedent or precedent.
Judicial separation	a court order that two married people should live apart.
Junior barrister	a barrister who is not a Queen's Counsel.
Jurisdiction	is: • the territory in which a court can operate; • the power it has to deal with particular cases; or • the power it has to issue orders.
Juror	one of the people who are acting as a jury.
Jury	a group of people (usually 12) who review all the evidence in a court case and then come to a verdict.
Jury service	serving on a jury. Most people between the ages of 18 and 70 can be required to serve on a jury.
Just and equitable winding up	a winding up ordered because fairness cannot be achieved for all the members of a company.
Justice of the Peace (JP)	a person appointed by the Crown to act as a magistrate.
Justification	claiming that a defamatory statement is true. In a defamation case a defendant may admit that the claimant ('plaintiff' before April 1999)'s allegations are true but plead that the statement which defamed was true.
Justifying bail	proving to the court that the person giving the surety has the assets to pay the bail.
Juvenile offender	a person aged between 10 and 17 who has committed a criminal offence.

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Kerb crawling — the offence committed in a street or public place by a man in a motor vehicle (or near a vehicle he has just got out of) who approaches a woman for sexual services in return for money.

Kidnap — to take someone away by force against their will.

Knock for knock — an agreement between insurance companies that they will pay for their own policyholders' losses regardless of who was to blame.

Know-how — the expertise in an organisation which may be protected by a patent.

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Land — includes:

- the buildings built on the land;
- the subsoil;
- the airspace above the land necessary for ordinary use of the land; and
- property fixed to the land.

Lawsuit — a claim made in a court of law.

Leading question — a question which:

- suggests the answer to be given; or
- assumes things to be true which in fact are disputed.

Lease — a contract between the owner of a property and a tenant, giving the tenant sole use of the property for an agreed time.

Leasehold — property held by a tenant with a lease.

Legacy — a gift left to someone in a will, but not including land.

Legal aid scheme — a scheme for paying legal costs out of public funds for people who cannot afford to pay for them.

Legatee — the person who receives a legacy.

Lessee — the person a property has been leased to.

Lessor — the person who lets a property by lease.

Letter of credit — a letter one bank sends to a second bank asking

	them to pay money to a named person.
Letters of administration	an authority the courts give to a person to deal with a dead person's estate. It is given when someone dies intestate.
Liabilities	the debts that a person or organisation owes.
Liability	a debt or obligation.
Libel	a false statement made in writing or in some other permanent record (such as a film).
Licence	an authority to do something.
Licensed conveyancer	a person authorised to do conveyancing (but not including solicitors).
Licensee	the holder of a licence to do something.
Lien	the right to keep possession of something owned by someone who owes a debt, until the debt has been settled.
Life assurance policy (or life insurance policy)	a contract between the policyholder and the insurance company. The insurance company pays out if the policyholder dies.
Life assured	the person whose life is assured by a life assurance policy.
Life imprisonment	a sentence given to a criminal to be imprisoned for the rest of their life (though the Home Secretary may release them early on parole).
Life interest	an interest which will pass to someone else when the present owner dies.
Life tenant	someone entitled to use property for the rest of their life.
Limited company	a company which limits how much its members will have to pay if the company is wound up. The members of most limited companies will only have to pay any money unpaid on their shares. If a company limited by guarantee is wound up, the money its members have to pay is limited to the amount shown in the memorandum of association.
Liquidated damages	damages agreed beforehand by the parties to a contract in case one of them should later break the

	terms of the contract.
Liquidation	the process of winding up a company by disposing of its assets, paying its creditors in a strict order of priority and distributing any money left among the members.
Liquidator	the person appointed to wind up a company.
Litigant	a person involved in a lawsuit.
Litigation	taking legal action through the courts.
Loan capital	money borrowed by an organisation.
Loan creditor	a person or organisation which has lent money to an organisation.

M

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Magistrate	a Justice of the Peace who presides over (is in charge of) minor cases heard in the magistrates' court.
Magistrates' court	the lowest court. The things it deals with include minor criminal cases, most criminal cases involving 10- to 17-year-olds, issuing alcoholic drink licences and hearing child welfare cases.
Maintenance	money paid (and things paid for) to support a partner (husband or wife) and children when a marriage has failed.
Majority	the age when a person gains full legal rights and responsibilities. In the UK it is when a person becomes 18 years old.
Male issue	male descendants (sons only) of men.
Malfeasance	an unlawful act.
Malice	intending to do something which is against the law.
Malice aforethought	planning to kill someone or intending to do something which is likely to kill.
Malicious falsehood	a written or spoken lie told to harm somebody and which does do harm.
Malicious prosecution	a prosecution which is brought unreasonably.

Mandate	an authority to act given by one party to another. An example is when a bank's customer writes instructions on the mandate for the bank to follow when operating the customer's account.
Manslaughter	killing someone illegally but by accident.
Market overt	a lawful market in which, as long as someone buying goods is not aware that they do not belong to the seller, the buyer will get a good title to the goods.
Martial law	government of a country by the military.
Master of the Rolls	the person in charge of: • the Civil Division of the Appeal Court; and • admitting solicitors to the roll of solicitors in practice.
Material facts	facts which are a key part of a defence or a claim.
Matricide	the killing of a mother by her son or daughter.
Matrimonial causes	the court proceedings: • to divorce people; • to separate a married couple; or • to dissolve a marriage.
Matrimonial home	the house that a husband and wife live in as a married couple.
Mediation	help from an independent person (a mediator) to solve differences between a husband and wife whose marriage has broken down. The mediator helps them to agree what should be done about their children, money and so on.
Memorandum and articles of association	The memorandum gives details of a company's name, objects (purposes) and share capital. It also sets out the limits of the shareholders' liability if the company has to be wound up. The articles set out the members' rights and the directors' powers.
Mens rea	the intent to commit a crime and also the knowledge that an act is wrong. (This term is Latin.)
Mercantile law	the branch of the law dealing with commerce.
Merchantable quality	the assumption in the law that goods sold by a business will be fit for their purpose.

Mesne profits	income lost by a landlord because the property is occupied without the landlord's permission. An example would be a tenant failing to leave the property when the tenancy finished. It is also the profits lost by a landowner when wrongly deprived of the use of his or her land.
Messuage	a house together with its land and outbuildings.
Minor	someone who has not yet reached the age when they get full legal rights and responsibilities. In the UK this is a person under 18 years old.
Minority	being under the age of full legal rights and responsibilities.
Minutes	a record of the meetings held by members and directors of companies.
Misadventure	an unexpected accident which happens while lawfully doing something.
Miscarriage of justice	the court system failing to give justice to someone.
Misconduct	deliberately doing something which is against the law or which is wrong.
Misdirection	a judge instructing a jury wrongly.
Misfeasance	when: • something is done badly even though it is still legal; or • a company officer does something which is a breach of trust or a breach of duty.
Misrepresentation	a lie told to persuade someone to enter into a contract.
Mistrial	a trial that has been made invalid.
Mitigation	putting facts to a judge, after someone has been found guilty, to justify a lower sentence.
Molest/Molestation	behaviour by a person which annoys or greatly troubles their children or spouse. The behaviour can include violence, verbal threats and written threats.
Money laundering	making money from crime and then passing it through a business to make it appear legitimate.

Moratorium	an agreement not to take action to recover a debt for an agreed period of time.
Mortgage	using property as security for a debt. It is also the name for the contract which is signed by the borrower and lender when money is lent using property as security for a loan.
Mortgagee	the lender of the money which is secured by a mortgage.
Mortgagor	the person who borrows the money to buy a property. The lending is secured with a mortgage of the property.
Motive	a reason for a person doing something.
Muniments	documents which are evidence of a right to something.

N

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Naked trust	a trust which holds property for a person until they ask the trustee to return it.
Naturalisation	giving a citizen of one country citizenship of another.
Negligence	lack of proper care to do a duty properly.
Negligent	lacking proper care to do a duty properly.
Negotiable instrument	a document which: • is signed; • is an instruction to pay an amount of money; • can have its ownership changed by changing the name it is paid to; and • can have its ownership changed simply by being delivered to its next owner.
Next of kin	a person's closest blood relatives.
Nondisclosure	the failure by one side to a contract to disclose (reveal) a fact to the other side that would influence their decision to go ahead with the contract.
Non-exclusive licence	an agreement giving someone the right to use something but which does not prevent other people being given similar agreements.

Notary	a person (usually a solicitor) who is authorised to certify documents, take affidavits and swear oaths.
Not guilty	a court's verdict that the person charged with a crime did not commit it. When criminal court cases start the defendants are asked for their pleas. If they want to deny they committed the offence they plead not guilty. If a court's verdict is that the prosecution has not proved the defendant committed a crime, the defendant has been found not guilty.
Notice	a warning of something which is about to happen.
Notice to quit	a notice to end a tenancy on a stated date. It is usually sent by the landlord to the tenant although the tenant can also send one to the landlord.
Not negotiable	cannot be transferred. If a bill of exchange is marked not negotiable it cannot be transferred to someone else.
Novation	replacing an existing agreement with a new one.
Nuisance	doing something that harms other people's rights.

O

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Oath	swearing the truth of a statement.
Objects clause	a clause which forms part of a company's memorandum of association It sets out the purposes the company was formed for.
Obligation	a legal duty to do something.
Obligee	someone who, under a contract, receives money or has something done.
Obligor	someone who is bound by a contract to pay money or do something.
Obstruction	a motoring offence involving: • leaving a vehicle or other obstruction in a road; or • driving in a way which inconveniences other road users.

Occupation	taking control of a piece of land which belongs to someone else.
Occupational pension scheme	a pension scheme organised by an employer for its employees.
Occupier	the person who is in control of a piece of land, such as a tenant.
Offensive weapon	an object that is intended to physically injure someone.
Offer	a promise to do something, or not to do something. If the promise is accepted it becomes legally binding.
Offeree	the person who receives the legally binding offer.
Offeror	the person who makes the legally binding offer.
Official receiver	the person appointed to act as a receiver in bankruptcies and company winding-up cases. The Department of Trade and Industry appoints official receivers.
Official secret	information which the Government classifies as confidential. It is a criminal offence to disclose an official secret without permission.
Official Solicitor	an officer of the Supreme Court whose duties include acting for people who cannot act for themselves, such as children or people with mental health problems.
Omission	a failure to do something.
Oppression	the offence of public officials using their official positions to harm or injure people.
Option	a type of contract under which money is paid for a right to buy or sell goods at a fixed price by a particular date in the future.
Order	an instruction by or command of a court.
Order in Council	an order given by the monarch (King or Queen) after taking advice from the members of the Privy Council.
Originating summons	a summons that sets out the questions the court is being asked to settle. When the facts in a case are not disputed, but the interpretation of the law or of the documents needs to be resolved, an originating

	summons is prepared.
Outlaw	formerly, a person who was not protected by the law.
Overt act	an act done openly and from which the criminal intention of the act is clear.

P

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Panel	the list of people who have been summoned for jury service.
Pardon	releasing someone from a court's punishment. The Crown has the right to alter, cancel or reduce the penalties imposed by the courts.
Pari passu	equally. (This term is Latin.)
Parole	release from prison early. If someone is given parole they may be returned to prison if they offend again.
Party	the claimant ('plaintiff' before April 1999) or defendant in a lawsuit. It is also someone who has taken out a contract or agreement.
Passing off	pretending that the goods and services offered are those supplied by another business.
Patent	an official right for a specified period of time to be the only person (or organisation) to make or sell something.
Patricide	- the killing of a father by his own son or daughter.
Pawn	to pledge goods as security for a loan.
Payee	the person money is being paid to.
Payment into court	money paid to the court by the defendant for payment to the claimant ('plaintiff' before April 1999).
Penalty	is: • a sum of money which has to be paid if the terms of a contract are broken; or • a punishment given to someone who commits a crime.
Penalty points	points given by a court as punishment for driving offences. If enough penalty points have been

	collected the offenders may have their driving licences taken off them.
Per	through or by. (This word is Latin.)
Performance	doing what is required under a contract.
Perjury	lying to a court after you have been sworn in.
Perpetuity	forever. The law prevents property being tied up in perpetuity because it could stop owners disposing of it.
Per pro	on behalf of. (This term is Latin.)
Per quod	in accordance with or whereby. (This term is Latin.)
Per se	in itself or by itself. (This term is Latin.)
Personal guarantee	a pledge, by a person to a bank, to repay a debt owed to the bank if the bank's customer fails to pay it.
Personal injury	an injury caused to a person.
Personal property	all property except land.
Personal representative	a person who is appointed to deal with a dead person's estate. If there is a will, the executors appointed will be the personal representatives. If there is no will, the courts will appoint someone called the administrator.
Personalty	another word for personal property.
Personation	pretending to be someone you are not.
Per stirpes	describes property divided equally between the offspring. If a parent who is a beneficiary under a will dies and the legacy goes to the children in equal shares, the legacy has been divided per stirpes. (This term is Latin.)
Perverting the course of justice	doing something to interfere with the justice system (such as misleading the court or intimidating witnesses).
Plaintiff	the person who goes to court to make a claim against someone else. (Since April 1999, this term has been replaced with 'Claimant'.)

Plea	the defendant's answer to the accusations.
Plea bargain	when the defendant pleads guilty instead of not guilty in return for a concession by the prosecution (such as dropping another charge).
Plead	to declare to the court whether you are guilty or not guilty.
Pleadings	statements of the facts prepared by both sides in a civil case. Each side gives the other its pleadings so that they are both aware of what arguments will be used during the trial. (This term was replaced with 'statement of case' in April 1999).
Pledge	letting someone take possession of goods but the ownership does not change. It is often done to give security for money owed or to make sure that something is done as promised.
Plenipotentiary	someone who has been given complete authority to act.
Poaching	taking game from someone else's land without permission.
Polygamy	being married to more than one person at once.
Possess	to have property under your control.
Possession	having something under your control even though you may not own it.
Possessory title	gaining title through possession. If you have possession of something for a long time you may gain title to it even though you do not have documents to prove that it is yours.
Post-mortem	the examination of a dead body to establish the cause of death.
Power of appointment	a person giving a second person the power to dispose of the first person's property.
Power of attorney	a document which gives power to the person appointed by it to act for the person who signed the document.
Practising certificate	certificates showing a person is entitled to practise law. Every year the Law Society issues these certificates to the solicitors who can practise law.

Preamble an explanation of a proposed law. At the beginning of each Act of Parliament there is an explanation of what the Act is intended to achieve.

Precedent Lower courts have to follow the decisions of the higher courts. This is called precedent, binding precedent or judicial precedent.

Precept an order given by an official body or person. It is used:

- by a county council to tell a body to levy (charge) rates for the benefit of the county council;
- by a sheriff to call an election; or
- to order payment of a sum of money, such as by a writ or a warrant.

Pre-emption the right to buy property before others are given the chance to buy.

Preference when insolvent, paying one creditor while leaving other creditors unpaid.

Preference shares a share entitled to a fixed dividend. Holders of preference shares are treated more favourably than ordinary shareholders. The preference dividend is at a fixed rate and must be paid in full before a dividend can be paid on the ordinary shares. When the company is wound up the preference shares must be fully paid out before the ordinary shareholders can be paid.

Preferential creditor a creditor who has to be paid in full before unsecured creditors can be paid anything.

Prima facie on the face of it. (This term is Latin.)

Principal is:

- someone who authorises another person to act for them;
- the actual person who committed a crime; or
- an amount of money lent or invested, not including the interest.

Privilege special rights which some people have because of the job they do or their special status. For example, diplomats of foreign countries are immune from arrest in the UK.

Privity of contract	only the parties to a contract can sue each other over breaches of contract.
Privy Council	a body of people appointed by the Crown. Its members include members of the royal family, present and former cabinet ministers and people who hold or have held high office. Its main duties are advising the Queen.
Privy Purse	money given to the Crown for royal household expenses.
Probate	authority to deal with a dead person's estate. When someone has died and left a will, the executors of the estate apply to the court for this authority.
Probate Registry	a registry which deals with the forms which are needed when someone applies for probate.
Probation	If a court convicts someone of an offence, the court may order that the offender is supervised by a probation officer for a period of at least six months but for no more than three years. This is known as probation and it is an alternative to sending the person to prison.
Process	In law a process is: • a summons or writ which is used to order someone to appear in court; • the whole of a case from beginning to end; or • the total number of summonses or writs issued during a case.
Procurator	a person who has been given authority to manage another person's affairs, such as under a power of attorney.
Procurator fiscal	under Scottish law, a person who acts as public prosecutor and coroner.
Product liability	the liability of manufacturers and sellers to compensate people for unsafe goods which have caused injury to people or property.
Promisee	a person who has been promised something.
Promisor	a person who has promised something.
Promissory note	a written promise to pay an amount of money to someone at a given time.

Property	the name for anything which can be owned.
Pro rata	in proportion. For example, if 10 items cost £100 you would expect three items to cost £30 if they were priced pro rata. (This term is Latin.)
Prosecution	the name for the team of people (lawyers and so on) bringing proceedings against someone else. Also when legal proceedings are taken against someone it is called a prosecution.
Prosecutor	the person who brings legal proceedings, on behalf of the Crown, against the accused.
Prospectus	a formal document giving details of a company's past performance and of its plans for the future. If a public company wants people to invest in it, it prepares a prospectus.
Prostitution	selling sexual services for money.
Protected tenancy	a tenancy agreement for a house. It gives the tenant the right to a fair rent and protection from eviction as long as the terms and conditions of the tenancy agreement are kept to.
Proviso	a clause in a legal document which qualifies another section of the agreement.
Provocation	causing someone to lose their self-control by doing or saying something (such as threatening to harm a baby) which would cause a reasonable person to temporarily lose their self-control.
Proxy	a person appointed by a shareholder to go to a meeting of shareholders. The proxy can vote at the meeting for the shareholder.
Proxy form	a form for shareholders by which, if it is delivered to a company at least 48 hours before the shareholders' meeting, the person who is the proxy will be able to vote at that meeting.
Public mischief	something that someone does which damages the general community.
Public nuisance	a crime by which the general public is put in danger or suffers damage to its health, property and so on.
Putative father	the man found by a court to be the father of an illegitimate child.

Q

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Qualifying child — when used in connection with Child Support this means a natural child or adopted child who is under 16, or under 19 if receiving full-time education.

Quango — an organisation set up by the Government to do a particular activity. It is partly independent and does not form part of the Government.

Quarter days — in England the days when payments which are made every quarter should be paid. The quarter days are the days that the seasons are said to start. The actual dates and their names are:

- 25 March - Lady Day;
- 24 June - Midsummer Day;
- 29 September - Michaelmas Day; and
- 25 December - Christmas Day.

Queen's Bench Division — part of the High Court. Its main function is to deal with civil cases.

Queen's Counsel (QC) — a barrister who has been chosen by the Lord Chancellor to serve as counsel to the Crown. A Queen's Counsel is more senior than other barristers.

Queen's evidence — evidence for the prosecution given by someone who is also accused of the crime being tried.

Quiet enjoyment — allowing a tenant to use land without interference. When a tenancy is created the landlord is expected to allow the tenant to use the land without any interference, unless the tenancy agreement allows it.

Quiet possession — using property without interference. When property is sold the buyer should be able to use the property free from interference by the seller.

Quorum — the lowest number of qualifying people needed for a meeting to be able to make a decision.

R

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Racial discrimination — treating someone less favourably because of their race, colour, nationality or culture.

Rack rent — the full market value rent of a property.

Rape	having sex with a person without their permission (such as if they were asleep or unconscious) or forcing them to have sex against their will.
Real	relating to immovable property such as buildings or land.
Real estate	land owned by someone who has died. In the USA it is also land and buildings used for business purposes.
Real property	land and buildings, minerals in the land and rights over the land.
Realty	another word for real property.
Reasonable force	necessary force. Reasonable force is a complex issue but essentially use of some force must be necessary to defend your property or yourself and the force used must be in proportion to the threat.
Receiver	someone appointed to: • sell assets to raise money to repay lenders; or • protect property.
Receiving	gaining control of stolen property.
Recognisance	an undertaking, given by someone to a court, to make sure that they do what the court requires. If they do not do as the court wishes they may have to pay a sum of money.
Record	the documents in a court case from beginning to end.
Recorder	a part-time High Court judge.
Recovery	regaining possession of land by taking court proceedings.
Redemption	paying off all the money borrowed under an agreement.
Redundancy	being dismissed from a job because it no longer exists.
Registered land	any land recorded at the Land Registry. There is a system of recording and registering, at the Land Registry offices, details of land ownership and interests in land.

Registered office	the official address where documents can be served on a company.
Also, the company's registers can be inspected at the registered office.	
Registrar of Companies	an official in charge of the office which keeps records of registered companies. There is a registrar for Scotland and another one for England and Wales.
Reinsurance	an insurance company insuring part of a risk it is covering. If an insurance company has taken on a large insurance contract it may decide to spread the risk of loss by insuring part of the risk with another insurance company.
Release	means: • to give up a valid claim against someone; • to free someone from prison; or • a document used to cancel a claim one person has against another.
Remainder	an interest which starts when a previous interest finishes. When more than one person has been left an interest in land the first person to possess an interest will have to die before the next person can possess an interest in the land, and so on.
Remand	being kept in prison or paying bail. If an accused person is placed on remand they are either kept in prison for a short period or have to pay bail or get someone to pay it for them. It is used for short periods before a trial starts.
Remedy	using the law to get compensation for damage done or for rights infringed. Also, a remedy can be using the law to prevent something from happening.
Renouncing probate	a proposed executor refusing to act. Sometimes when a testator dies an executor will not wish to accept appointment. The executor has to tell the Probate Registry about it in writing.
Rent	a regular payment to the landlord by a tenant in return for being allowed to possess and use the landlord's property.
Repeat offender	a person who continues to commit the same offence.

Reply	a claimant ('plaintiff' before April 1999)'s answer to a claim. In a civil case the defendant may offer a defence to the claim, or even make a counterclaim.
Repossession or repossess	a mortgagee recovering vacant possession of the property mortgaged.
Representation	is: • acting on behalf of someone else (such as a solicitor acting for a client); • taking someone else's place (such as when a court gives an executor the right to deal with a dead person's affairs); or • a statement in a contract.
Representative action	one or more people, in a group of people with the same grievance, taking legal action representing the group.
Reprieve	a judge suspending or cancelling punishment for an offence.
Rescission	the cancellation of a contract.
Reservation of title	a contract which leaves ownership of the goods with the seller until the goods have been paid for.
Reserves	money set aside in accounts which can be spent in later years. Some types of reserve can only be spent if certain conditions are met.
Residence order	an order which a court issues when it has decided where a child should live, setting out details of the court's decision.
Residuary legacy	what remains to be given out from an estate after all debts, taxes and specific legacies have been paid.
Residue	what is left of an estate after all debts, taxes, expenses and specific legacies have been dealt with.
Res ipsa loquitur	proof is not needed because the facts speak for themselves. If the defendant was in charge of events and an accident was caused on the face of it by negligence, then it may be presumed that the defendant was negligent unless there is evidence to the contrary. (This term is Latin.)
Resisting arrest	a person trying to prevent the police arresting him or her. A charge could be made of obstructing a police

	officer in the course of duty.
Resolution	a decision taken by the members of a company in a meeting.
Respondent	the person an action is being taken against.
Restitution	is: • an order for the return of stolen goods to the victim of the theft or for compensation to be paid to the victim; or • a writ, following a successful appeal, for the return of the items lost after the original case.
Restraining order	an order which a court may issue to prevent a person from doing a particular thing. For example, if someone has been harassing another person, the court may order that the harassment must stop.
Restriction	when placed on a piece of land the owner cannot sell or mortgage the land.
Restriction order	This order by the Crown Court prevents a person being discharged from hospital, to protect the public.
Restrictive covenant	a deed which restricts how a piece of land can be used.
Retainer	a payment to a barrister to act in a case.
Retention of title	another term for reservation of title.
Reversion	
Revocation	cancellation.
Revoke	to cancel or withdraw.
Revolving credit agreement	a loan agreement under which a person can borrow again to top up the loan, as long as they do not go over their credit limit.
Right of way	a legal right obliging the owner of land to allow authorised people to cross it.
Rights issue	an issue of extra shares by a company. Existing shareholders can buy extra new shares in proportion to the shares they already hold. The shares are usually on sale at a lower price than the stock market price to encourage shareholders to buy. The

	shareholders can sell the rights if they do not wish to use them.
Riot	a gathering of 12 or more people using, or threatening to use, violence to achieve a common end.
Robbery	using or threatening to use force while carrying out a theft.

S

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Sale or return	an arrangement under which goods can be kept by the potential buyer for a period while their resale is attempted. Unsold goods can be returned if the conditions of the contract have been kept to and the buyer pays for the goods used.
Salvage	compensation paid by the owners for saving ships, aircraft and property from the sea.
Satisfaction	is: • paying a debt; • settling an obligation by an act; or • settling an obligation by substituting something satisfactory for what was originally required.
Scheme of arrangement	an agreement between a person with debts, who cannot pay them when they are due, and the creditors. The creditors share the money the debtor manages to pay in proportion to what they are each owed.
Scrip	a certificate showing the extra shares and fractions of shares the owner is entitled to.
Scrip dividend	a dividend paid in shares instead of cash.
Scrip issue	free shares offered to the members of a company in proportion to their shareholdings.
Search	inspection of the registers maintained by organisations such as the Land Registry. When a person intends to buy a property such as a house, a solicitor arranges the inspection. This is to find out if there is any adverse information about the property or the surrounding area.
Search warrant	a warrant issued by a magistrate, or High Court judge, to allow police officers to search premises.

Securities	stocks, shares, debentures and so on where there is a right to receive interest or dividends from the investment.
Security	something of value pledged to a bank by a borrower. If the borrower fails to repay the debt, the bank can sell the security and repay the debt out of the proceeds of the sale.
Security of tenure	protection from a landlord attempting to obtain possession of the property the tenant is renting.
Sedition	writing things or saying things which encourage ordinary people to rise up against the Government or which cause discontent.
Sentence	the penalty the court imposes on someone found guilty of an offence.
Separation order	a court order that a husband and wife can live separately if they wish.
Sequestration	a court order for the seizure of someone's property.
Settle	means: • to create a settlement; • to end a case by agreement; or • to draw up a contract and agree its terms.
Settlement	when property is bestowed, usually by a will or a deed, on a trust for the benefit of people decided by the settlor. It also means voluntarily agreeing to settle a civil case.
Settlor	the person who gives property to a settlement.
Several	separate (not joint).
Shadow director	a person who has not been appointed a director of a company but nevertheless gives instructions to the directors, which they comply with.
Share capital	the money invested directly in a company by its members. When the shares are first made available by the company, people can apply to buy them. The company states the price it wants for the shares.
Share certificate	a document which certifies who owns shares in a company. It gives the type and number of shares owned by the shareholder and lists the serial

	numbers of the shares.
Share premium account	an account in a set of books recording the extra amount over face value that shares have been issued for. If shares are issued for more than their face value, the extra amount over face value is called a share premium.
Sheriff	someone appointed each year by the Crown to be a county's senior officer. Each county in the UK has a sheriff. To be eligible for the office the person must own some land in the county. The areas of the law which come within the sheriff's jurisdiction are largely dealt with by the under-sheriff.
Shoplifting	stealing goods from a shop.
Shorthold tenancy	a tenancy under which the law allows the landlord to repossess the house.
Sine die	indefinitely. If a case has been adjourned sine die no date has been set for it to be continued. (This term is Latin.)
Slander	saying something untrue about a person or doing something, such as making a gesture, which damages their reputation.
Small claims court	a section of the county court which deals with small claims. There is a simplified way of making a claim in the county court in a civil case where the claim is for no more than £5000 (or £1000 in personal injury cases). Neither side can claim costs.
Smuggling	importing or exporting goods illegally to avoid a ban on them or to avoid the duties on them.
Sold note	a note that shows details of investments which have been sold, including the sale price and any charges taken. Stockbrokers produce sold notes for their clients.
Soliciting	a prostitute attempting to get clients in a street or other public place.
Solicitor	a person who can deal with legal matters for the public and give advice on legal matters. All solicitors are listed on the roll of solicitors kept by the Law Society. Some solicitors can appear for their clients in some

	of the lower courts.
Solicitor General	the assistant of the Attorney General. They both advise the Government.
Special resolution	a resolution which must be approved by holders of at least 75% of the shares with voting rights. (Some types of share give their owners the right to vote at shareholder meetings, but there are other types which do not.)
Specific performance	a court order to complete a contract. The courts may order a person who has failed to fulfil an obligation under a contract to complete it.
Spent conviction	a conviction which, after the passage of a stated time period, does not have to be disclosed (revealed) to a court.
Squatter	a person who occupies land illegally.
Stalking	the name given to a form of harassment where a person is made to feel alarmed or distressed by another person's actions. The prosecution has to prove that a reasonable person would have known that the behaviour would create distress or fear. The harassment must have happened on at least two occasions.
Stamp duty	a tax on the transfer documents for certain types of transaction. Examples are buying shares, patent rights and properties.
Statement of claim	the claimant's written statement setting out the claim in a civil case. (This term has not been used since April 1999.)
Status	how the law regards a person, such as whether the person is a minor or a bankrupt and so on.
Statute	an Act of Parliament.
Statute book	all the existing statutes in a country.
Statute law	the law created by Acts of Parliament.
Statute of limitation	a statute which sets out the time limits within which a court action must take place.
Statutory accounts	company accounts which have been filed with the Registrar of Companies. The accounts have to

	disclose (show) the information required by the Companies Acts.
Statutory audit	an audit required by law. Certain companies have to have their accounts audited by suitably qualified accountants.
Statutory books	books of account which companies must keep by law to show and explain all their transactions.
Statutory demand	a written demand for payment of a debt of more than £750.
Statutory instrument	a power delegated by Parliament. Parliament can delegate its power to make and amend law to a person or organisation. A statutory instrument is one of these powers and is used by government ministers to amend legislation.
Stay of execution	the suspension of the carrying out of a court order.
Stipendiary magistrate	a magistrate who gets a salary.
Stockbroker	a person who buys and sells stocks and shares for clients.
Subduct	to withdraw.
Subject to contract	an agreement which is not binding until a contract has been signed.
Sub judice	describes something being dealt with by a court which cannot be discussed outside the court. (This term is Latin.)
Subpoena	a writ requiring the person it is addressed to to attend at a specific place (such as a court) on a specific date and at a stated time.
Subrogation	substituting one person for another including all rights and responsibilities.
Subscribers	the people who set up a limited company.
Subsidiarity	subsidiary activities. Member countries of the European Community agreed that activities could be done by the individual member countries unless they could not do them adequately alone. The European Community therefore should only do subsidiary activities and this is called subsidiarity.

Subsidiary	a company controlled by another company. The control is normally a result of having more than 50% of the voting rights.
Sue	to start legal proceedings in the civil court against someone.
Suicide	the act of killing oneself intentionally.
Sui generis	describes something that belongs in a particular category or is the only one of its class. (This term is Latin.)
Sui juris	describes someone who can enter into a contract without any restriction. (This term is Latin.)
Suit	proceedings brought by one person against another in a civil court.
Summary judgement	obtaining judgement without a trial. In an action in the High Court to recover damages or a debt, if the claimant ('plaintiff' before April 1999) swears an affidavit that it is believed that there is no defence to the claim, the claimant ('plaintiff' before April 1999) can obtain summary judgement.
Summary offence	an offence that can only be tried by magistrates. Most minor offences are summary offences.
Summary proceedings	a trial by magistrates, where the defendant has the right to choose which court should hear the case, but has agreed to be tried in the magistrates' court.
Summary trial	a trial by magistrates.
Summing up	the judge's summary of a case. At the end of a trial by jury the judge explains points of law in the case to the jury, explains the jury's role and summarises the evidence.
Summons	an order by a court that a person attend at a particular court at a stated time on a particular date.
Superior courts	the higher courts in English law, which include the High Court, the Court of Appeal, the Crown Court and the House of Lords. Their decisions act as precedents for the lower courts to follow.
Supervision order	a court order that a child should be supervised by a probation officer or a local authority.

Supra	above (see above or before in the document). (This word is Latin.)
Supreme Court	the highest court below the House of Lords. The full name is the Supreme Court of Judicature. It is divided into: • the Crown Court; • the High Court of Justice; and • the Court of Appeal.
Surcharge	a penalty charged if tax is paid late. It is also an extra charge banks make if customers do not keep to the agreements they made with the bank.
Surety	someone who takes responsibility for someone else's debts or promises, and guarantees that they will be paid or undertaken (done). It is also the name for the money put up as security that someone will appear in court. If they do not appear in court the money will be forfeited.
Suspended sentence	a sentence that is postponed until the offender is convicted of another offence.
SWIFT payment	a payment from one bank account to another using the SWIFT system. SWIFT stands for Society for Worldwide Interbank Financial Telecommunications and it is an international system for paying by credit transfer.

T

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Tangible asset	an asset which can be physically touched.
Tangible property	property that physically exists.
TAURUS	a computer system intended to replace paper stock transfer forms and share certificates.
Tax	money raised by the Government to pay for the services it provides. Some taxes are called indirect because they are part of the price we pay for goods and services, such as VAT. Other tax is called direct because the individual taxpayer pays it. Income tax and corporation tax are examples of direct taxes.
Taxable supply	a term for supplying goods and services on which value added tax can be charged. This applies even if the tax rate is 0% at present, because it can be increased if the Government chooses to.

Taxation	the levying of taxes.
Taxation of costs	the scrutiny of and, if necessary, the lowering of a solicitor's bill to a client. The scrutiny is done by a court officer.
Tax avoidance	reducing tax bills by using legal means.
Tax evasion	breaking the law to reduce tax bills, such as by concealing income.
Tax point	the date when value added tax arises on goods or services supplied (or made available) to a customer. The tax point should be displayed on invoices. It is not necessarily the same as the date of the invoice.
Teeming and lading	a term used to describe attempts to hide the loss of cash received from one customer by using cash from other customers to replace it. This fraud can carry on by using cash from other customers in the same way.
Tenant	a person or organisation granted a lease.
Tender	supplying a price for a job. If an organisation asks firms to send in tenders for supplying something, they are asking for firm written offers to do the work to an agreed standard and at a stated price.
Tenure	how a piece of land is held by the owner (for instance freehold or leasehold).
Term	any of the clauses which form part of a contract.
Terra	land. (This word is Latin.)
Terrorism	using violence for political purposes.
Testament	a will dealing with personal property.
Testamentum	another name for a will.
Testator	a person who makes a will.
Testify	to give evidence.
Testimony	the evidence a witness gives in court.
Theft	taking someone else's property dishonestly, with the intention of never returning it.

Threatening behaviour	using threats, abuse or insults against another person.
Timeshare	an arrangement where people can buy a share in part of a property for a period of time in each year. They can use their part of the accommodation each year for the period that is theirs.
Title	the right to own something.
Title deeds	the documents which prove who owns a property and under what terms.
Toll	a payment in return for being allowed to travel over a road, bridge and so on.
Tort	doing something which harms someone else. It may result in a claim for damages. (This word is Old French.)
Tortfeasor	someone who commits a tort.
Trademark	a mark which is registered at trademark registries and which is used on products produced by the owner. It is illegal for anyone else to display the mark.
Transcript	the official record of a court case.
Transferable securities	securities, such as debentures, which can have their ownership changed.
Transferee	the person something is transferred to.
Transferor	the person who transfers something to someone else.
Treason	the crime of betraying your country such as helping your country's enemies in wartime.
Treasure trove	treasure found in a hiding place and whose owner cannot be traced. It belongs to the Crown but the finder and the landowner may get a reward.
Treasury	the government department which administers (manages) the country's finances.
Treasury bill	an unconditional promise by the Treasury to repay money it has borrowed for the short term (up to one year), to pay for government spending.

Treasury Solicitor	the person who gives legal advice to the Treasury.
Trespassing	going on land without the owner's permission.
Trial	an examination of the evidence in a case and the law which applies.
Tribunal	is: • a body set up to act like a court, but outside the normal court system; • a forum to hear disputes and with the authority to settle them; • a body given power by statute to discipline members of a profession who do not keep to the high standards of behaviour demanded of members of the profession; or • a body set up by the members of an association to police the members' actions.
Trust	a financial arrangement under which property is held by named people for someone else.
Trust corporation	a company which acts as a trustee and holds a trust's assets.
Trust deed	a legal document which is used to: • create a trust; • change a trust; or • control a trust.
Trustee	a person who holds property and looks after it on behalf of someone else.
Trustee in bankruptcy	a person who administers (manages) a bankrupt person's estate and pays any available money to the creditors.

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Uberrimae fidei	of the utmost good faith. In certain contracts (such as insurance policies) one party must disclose (reveal) any material facts to the other party. If they are not disclosed the contract can be cancelled or become unenforceable. (This term is Latin.)
Ultra vires	beyond one's powers. If an organisation does something ultra vires, what it has done is invalid. (This term is Latin.)

Underlease	the lease of a property by a tenant of the property to someone else.
Undertaking	a promise which can be enforced by law such as a promise made by one of the parties or by their counsel during legal proceedings.
Unfair contract terms	prevents a party to a contract unfairly limiting their liability. The Unfair Contract Terms Act 1977 was passed to control unfair exclusion clauses. In particular, in a case where someone had been killed or injured because of someone else's negligence the act prevented a contract limiting the negligent person's liability.
Unfair dismissal	sacking an employee unfairly. When an employee has been dismissed it is the employer's responsibility to prove that the dismissal was fair. If an industrial tribunal finds that the dismissal was unfair it can insist on compensation or reinstatement.
Unit trust	a trust which manages investments. People can invest in unit trusts by buying units. The managers of the trust use the money people invest to buy investments. The fund manager values the fund's assets from time to time and puts a new price on the fund's units.
Unlawful wounding	wounding someone without the justification of self-defence or without power given by the law.
Unliquidated damages	the amount of damages decided by a court because the parties to a contract had not agreed in advance how much the damages would be for breaking the terms of the contract.
Unreasonable behaviour	behaviour by a married person that justifies the other partner in the marriage living apart.
Unregistered company	a company which is not registered under the Companies Acts.
Unregistered land	land which is not recorded in the registers at HM Land Registry.
Unsecured creditor	someone who has lent money without getting any security for the loan.
Uterine	describes people who have the same mother but different fathers.

V

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Vendee a person who buys something.

Vendor a person who sells something.

Verdict the jury's decision at the end of a case.

Vesting order a way the High Court transfers land without the need for a conveyance.

Vexatious litigant a person who regularly brings court cases which have little chance of succeeding.

Vicarious liability a situation where someone becomes responsible under the law for wrongs done by someone else. This often happens when an employee does something wrong while at work which becomes the employer's responsibility (such as an employee working negligently and causing someone else to be hurt because of the negligence).

Violent disorder three or more people in a gathering using or threatening to use unlawful violence.

Void unable to be enforced by the law.

Voidable - able to be cancelled in certain circumstances.

Voluntary arrangement an agreement between a debtor and the creditors. If a person or a company cannot pay their debts when they are due they can come to a voluntary arrangement with the creditors to pay the debts over a period. If the creditors agree with the proposals it avoids bankruptcy of the individual or liquidation of the company.

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Ward of court a person who is protected by the High Court, such as a minor.

Warrant is:

- a certificate which gives the person holding it the right to buy shares at a given price;
- a magistrate's written instruction to arrest someone; or
- a magistrate's written instruction to search a property.

Warranty	a term in a contract. If the term is not complied with damages can be claimed by the injured party.
Wayleave	a right of way through or over a piece of land often for a particular purpose, such as for a pipeline to go through a piece of land or for goods to be carried over it.
Will	a legal document which people use to bequeath (leave as a gift) money and property when they die.
Winding up	disposing of all a company's assets and paying all its debts. Any money left is then divided among the members.
Without prejudice	when written on a document, the document cannot be used as evidence that a contract or agreement exists.
Witness	someone who: • watches a signature being put on a document, and then signs as well to verify the signature's authenticity; or • attends court to testify about events they know about. To witness a document is to watch it being signed and then add your own signature and name, address and occupation.
Words of art	words which have a fixed meaning in law so that their use in a legal document can have only one interpretation.
Writ	an order issued by a court telling someone to do something or not to do something. (This has been known as a 'claim form' since April 1999).
Writ of execution	a type of writ ('claim form' since April 1999) used when a court judgement needs enforcing.
Writ of summons	a type of writ ('claim form' since April 1999) used to start a civil case in the High Court. (This has been known as a 'claim form' since April 1999).
Wrongful dismissal	ending an employee's contract without following the contract's terms.
Wrongful trading	continuing to trade while knowing that there is little prospect of the company being able to pay its debts.

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Young offender	a person between the ages of 14 and 17 who has committed a crime.