

Subject specific vocabulary

The following subject specific vocabulary provides definitions of key terms used in our AS and A-level Law specification. Students should be familiar with and gain understanding of these terms

Actus Reus

Latin: 'the guilty act'.

Appeal

The process by which a more senior court reviews the decision of a lower court.

Civil law

The system of law concerned with private interactions between members of a community; rather than criminal law.

Common law

The law developed mainly from judicial decisions based on precedent as opposed to statute; synonymous with case law.

Consideration

A necessary element of any binding contract; conferring a benefit to the other party, or suffering some detriment or forbearance, in order to legally secure the agreement.

Damages

Monetary compensation awarded by a court.

Doctrine

A legal rule or principle.

Express term

A rule within a contract made explicit; either written or verbal.

Green papers

Used to gain views about proposed legislation from interested bodies; an initial consultation document, responses to which may or may not be acted upon.

Guilty

A court's verdict that the person charged with a crime is legally responsible for that crime.

Implied term

A rule within a contract which is not explicit but is read into the contract either by the courts, to reflect the true intentions of the parties to the contract, or by statute.

Oblique intention

The defendant foresees that the consequence of their actions is virtually certain.

Juror

A member of a jury.

Jury

A group of people selected to reach a verdict in a legal case, based upon the evidence presented and instructions on the relevant law.

Lay people

Individuals involved with the legal process but without legal qualifications, eg magistrates and jurors.

Magistrate

A Justice of the Peace who presides over cases in the magistrates' court.

Mens rea

Latin: 'the guilty mind'.

Obiter Dicta

'Other things said'; comments and remarks not part of the legal rule.

Offence

An act or omission which contravenes the criminal law.

Omission

Failure to perform an act; inaction.

Parliamentary supremacy

Parliament creates the highest form of law, which must be applied by the courts; Parliament can legislate on any matter and is not bound by its predecessors.

Precedent

A judicial decision which binds equal or lower courts in its jurisdiction and which can be persuasive to higher courts in cases with similar facts.

Remedy

Remedy is the means by which the contravention of a legal right is prevented, put right or compensated.

Ratio Decidendi

The legal reason for a decision; the rule established by the decision, binding on equal or lower courts.

Stare Decisis

Latin: 'to stand by things decided'. In legal practice: the principle that precedent should determine legal decision making in cases involving similar facts.

Statute

A binding piece of legislation, synonymous with Act.

Statutory interpretation

The process by which courts interpret and apply legislation.

Subjective recklessness

The defendant is aware of a risk but proceeds regardless.

Tort law

Rights, obligations and remedies applied by civil courts to provide relief to individuals harmed by the unlawful conduct of others.

Transferred malice

When the mens rea of one offence can be transferred to another offence.

White papers

Used to make clear Government's preferred approach to a future piece of legislation.

Specifications that use this resource:

- [A-level Law 7162](#)

Document URL

<https://www.aqa.org.uk/resources/law/as-and-a-level/law/teach/subject-specific-vocabulary>

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