

The court process

Commonly used terms

Arraignment	An arraignment is the formal process of informing an accused person of the charges against them. When an accused person is 'arraigned', the charges are read aloud in court in the presence of the accused and they are asked to enter a plea to the charges. The accused will then plead either 'guilty' (and the matter will proceed to sentence) or 'not guilty' (and the matter will proceed to trial). After an arraignment, the trial or sentence may be scheduled to start on a future date.
Bail	A person who has been arrested may be granted 'bail', which means that they are released from custody subject to conditions.
Committal mention	A 'committal mention' is a mention (see below) that occurs in the Magistrates Court before a matter has a committal hearing date set.
Committal hearing	Before a case goes to the Supreme Court or District Court, in some cases there is a hearing in a Magistrates Court to determine whether there is enough evidence for a trial to be held. Sometimes witnesses may be required to give evidence in the Magistrates Court for a committal hearing.
Discontinue	Charges are 'discontinued' when they are no longer going to proceed in the court. When charges are discontinued, the accused no longer needs bail to remain out of jail and will not stand trial or be sentenced on those charges. Our Office will contact you before this occurs.
Indictment	Indictment is the name given to a formal document presented to either the District, Supreme or Childrens Court of Queensland after charges have been 'committed up' from the Magistrates Court. An indictment sets out the offence or offences that the accused is charged with.
Mention	A 'mention' is the method used by courts to ensure a matter is proceeding in a timely way, and that it is moving towards a resolution. A matter may be mentioned and adjourned several times without being set down for trial or sentence for many reasons. For example, the parties may be waiting for further evidence or reports, or the accused may have issues relating to their legal representation. There is no limit to the number of times a matter may be mentioned.
Trial	A trial is a hearing before a judge and jury (12 members of the public) in the District Court or Supreme Court. Witnesses will give evidence in the court in front of the jury, subject to special arrangements for children or other vulnerable witnesses. The jury hears the evidence and makes a decision about whether there is enough evidence to convict the accused or not. A trial can also be heard before a judge alone.
Sentence	If the accused pleads guilty or is found guilty by a jury, the Judge will pass 'sentence' – that is, decide what punishment should be given. A separate hearing may be held for the sentencing. A prosecutor from the Office of the Director of Public Prosecutions attends the sentence hearings, and outlines the circumstances of the offence.



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