



The City Law School
CITY UNIVERSITY LONDON

The City Law School

City University

BPTC Mooting Rules

Scope of the City Law School, BPTC Mooting Rules

1. The City Law School BPTC Mooting Rules (“the CLS BPTC Mooting Rules”) govern the **City Law School Blackstone BPTC Mooting Competition** and the **City Law School Part-Time BPTC Mooting Competition**, which are run and administered by the Mooting Coordinator of the City Law School (“CLS”).

Scope of the CLS Blackstone BPTC Mooting Competition

2. The **CLS Blackstone BPTC Mooting Competition** is open only to full-time students on the Bar Professional Training Course at CLS.

Scope of the CLS Part-Time BPTC Mooting Competition

3. The **CLS Part-Time BPTC Mooting Competition** is open only to part-time students on the Bar Vocational Course and the Bar Professional Training Course at CLS. It is not open to second year Part-Time students who have taken part in the competition in their first year.

Structure of the Moots

4. There are three rounds namely the First Round, the Semi-Finals and the Final.
5. The **First Round** is held in private, essentially only the judge, the competitors and the clerk are usually present.
6. The **Semi-Finals** and **Final** are usually held in front of an audience. Attendance at the Semi-Finals and Final is by invitation only from the Mooting Coordinator.
7. The dates for the First Round, Semi-Finals and Final are set by the Mooting Coordinator.
8. Students who are interested in taking part in the Mooting Competitions should return the **completed application form** to the **Mooting**

Coordinator by the deadline which is set out on the Mooting webpage on the CLS website. The application form is available on the Mooting webpage. **The student is responsible for ensuring that the application form is correctly completed. Any application form that incorrectly completed will not constitute a valid entry. The Mooting Coordinator is under no obligation to inform a student that a form is invalid.**

9. The number of places available in the First Round is limited to 64 students. Places will be allocated on a first come first served basis. The timing of entries will be judged according to the date and time of the e-mail when the application form is sent to the Mooting Coordinator. The Mooting Coordinator will select the names of candidates for a **Reserve List**. Candidates on the Reserve List may be called to replace a competitor who is subsequently unable to take part in the First Round. The Reserve list will consist of students whose applications were received after the first 64. Reserves will be given priority according to the timing of their entry. In relation to the allocation of places, the decision of the Mooting Coordinator is final.
10. A **moot** shall take place between **two teams** with one team appearing for the “Appellants” and the opposing team appearing for the “Respondents”.
11. The **composition** of each team as well as the **role** of each team member will be determined by the Mooting Coordinator in advance of the competition. The Mooting Coordinator will inform each selected competitor of his/her role within the team as well as the details of the other participants competing in the same moot as him/her.
12. Each **team** shall consist of two advocates namely “Lead counsel” and “Junior counsel”.

13. The **role of Lead counsel** does not indicate any seniority in level but only the role played by the competitor in the moot. In preparation, counsel on the same team should clearly identify the extent of their brief in order that their submissions do not interfere with or cover topics to be dealt with by their colleague.

Order of counsel

14. The order in which counsel will make their submissions is as follows:-

- (a) Lead counsel for the Appellant;
- (b) Lead counsel for the Respondent;
- (c) Junior counsel for the Appellant; and
- (d) Junior counsel for the Respondent.

Length of submissions

15. The length of submission for Lead counsel for the Appellant is 15 minutes. An additional 5 minutes is given for Lead counsel to cover the facts briefly, and to outline the history of the case leading to the appeal.

16. The length of submission for **Lead counsel** for the **Respondent**, **Junior counsel** for the **Respondent** and **Junior counsel** for the **Appellant** is **10 minutes**.

17. Lead and Junior counsel for the Appellant will **not** be given a right to reply.

Timing of speeches

18. If present, the **clerk of the moot** shall time each submission and shall indicate when :-

- (a) **10 minutes** and **14 minutes** have elapsed for *Lead counsel for the Appellant*; and
- (b) **5 minutes** and **9 minutes** have elapsed for *Lead counsel for the Respondent, Junior Counsel for the Appellant and Junior counsel for the Respondent*.

Judge's questions

19. Judges may interrupt and ask questions freely during the course of submissions from either Leading or Junior counsel.
20. There is **no time limit** on the length of the judicial interventions.
21. Where present, the **clerk of the moot** must stop the clock when a judge asks a question and counsel responds (the asking and answering of questions does not affect the time period allocated to the submissions).

Meaning and number of authorities

22. **Each counsel** may cite a maximum of **THREE case law authorities**. Where reference is made to a decision of more than one court in a specific case, the case will be regarded as a single authority.
23. **Citations for all authorities** must be included in **counsel's skeleton argument**.
24. Any **unlisted authority** may only be referred to with the *express permission* of the **judge** and **opposing counsel**.

Skeleton arguments

25. Skeletons Arguments should be *word-processed documents* of at least one-page.
26. Skeleton Arguments should be forwarded to the **judge, opposing counsel** (both Lead and Junior) and **counsel** appearing on the **same side** by email, **at least five clear days** in advance of the moot. A *clear day* is defined as a week day and does not include Saturdays, Sundays and Bank Holidays. **The day of the moot does not count as a clear day.**

27. If participants do not adhere strictly to **Rule 26**, the matter will be reported to the **Mooting Coordinator** who will decide upon the most appropriate course of action. Participants in breach of **Rule 26** *may* be disqualified from taking part in the moot in question or may have their scores penalised. Any such decision will be at the discretion of the Mooting Coordinator.

Production of materials

28. At the same time as skeleton arguments are exchanged by e-mail, each team member is responsible for producing a hard copy of all authorities that they intend to rely upon. The four participants in the moot must liaise and place all the moot materials in one folder, which is to be left in the School Office clearly marked for the attention of the relevant judge at least **five clear days** in advance of the moot (please see Rule 26 for the definition of a clear day). The folder should be divided into sections so that the materials of each counsel are clearly identifiable. The folder should contain an index and cover sheet detailing the names of counsel and the team number (the latter will be allocated by the Mooting Coordinator). Additionally the folder should contain hard copies of the four skeleton arguments (students are still required to e-mail copies of the skeleton arguments as per Rule 26).

29. Counsel should identify with a marker (post-it note or equivalent) any section of an authority to which they intend to refer.

30. Parties are authorised to produce copies of authorities derived either from a recognised legal search engines as *Westlaw*, *Lawtel* and *Lexis Nexis*.

31. Any authorities, which are to be relied upon, **do not** need to be supplied to the judge and other parties in full. Only those pages of the authority upon which counsel is relying need be copied. However, where an authority is not copied in full, counsel is under an obligation to ensure that the section provided does not mislead the court. If part

of the authority supports counsel's argument whilst another goes against, counsel is obliged to re-produce both sections of the authority or the entire report.

Location of the competition

32. All moots are held in rooms either in Atkin building or Princeton Street.

33. Competitors should not rearrange the furniture in the rooms.

The judging criteria

34. Each counsel will be judged on the following criteria:-

- a. structure;
- b. legal content (including the extent to which the skeleton argument supports and facilitates the legal submission);
- c. use of argument (including the ability to answer questions, and the use of the skeleton to facilitate the legal submission); and
- d. presentation.

35. Each criterion carries 25 marks.

First round

36. The first round will consist of 16 moots (four participants in each). The winner of each moot will be decided on a knock-out basis. Usually the winner will be announced at the end of the moot, although a judge may reserve their decision for 24 hours. Whether feedback is given and the method of feedback is entirely at the discretion of the judge. Individual scores **will not** be announced, **nor** the places of those who did not win. The scoring system is for the assistance of the judges and Mooting Coordinator only. The judge is under no obligation to decide which team has won on the law or to give a ruling. The decision of the judge is final.

37. The winner of each of the first round moots will proceed to the **Semi-Finals**, which will consist of four moots (16 students). The winner of each semi-final moot will be decided on a knock-out basis.
38. The winner of each semi-final will proceed to the final (four students), where a winner and runner-up will be selected.
39. In the event that a participant is absent on the day, the moot will continue, and those competitors who are present will be judged.
40. Wherever possible a reserve will replace a team member who is unable to continue their participation in the moot.
41. Any person who is unable to continue their participation should contact the Mooting Coordinator (**Simone Start**, simone.start.1@city.ac.uk, Room 2/17 Gray`s Inn Place, Ext 380) as soon as possible to explain the situation and in any event **at least seven clear working days** before the competition is scheduled to take place. This is partly to ensure that a reserve student has time to prepare.
42. The **personal tutor** of any individual who withdraws from the competition *after* the time frame set out in Rule 41 above will be informed and a note will be entered on the student`s personal file.

Availability of the problem

43. The problem will be supplied at least **two weeks** in advance of the competition by the **Mooting Coordinator**.
44. The problem will be posted on the **door** of the **office** of the Mooting Coordinator and participants should pick it up as soon as notified by the Mooting Coordinator.

The clerk of the moot

45. It is at the discretion of the participants to designate a clerk to the moot for the purpose of timekeeping. It is not necessary for this person to be otherwise involved in the competition. Participants are under no obligation to designate a clerk.

46. If a clerk is to be present, the name of the designated clerk should be forwarded to the judge and the Mooting Coordinator no later than **one week** before the moot is scheduled to take place.

47. In the **absence** of a **clerk** to the moot each participant is responsible for their own timekeeping and any other duties allocated to the clerk.

Terms of address

48. Counsel should address the judge directly as “My Lord” or “My Lady” and indirectly as “Your Lordship” or “Your Ladyship”.

Dress code

49. The **dress code** for all the moots is **formal. Bands, wigs and gowns need not be worn.**

Behaviour

50. It is **essential** for all competitors to behave in a **professional, courteous and ethical manner** at all times either in preparation for the competition or during the competition.

51. Unprofessional, unethical and aggressive behaviour will not be tolerated and should be reported to the **Mooting Coordinator** immediately.

52. In the event that a competitor is in breach of **Rule 50**, his/her personal tutor will be informed of the same and a formal note will be entered in his/her personal file.

53. In addition, more severe sanctions may be taken where appropriate including disqualification from taking part in the moot and the reporting of the matter to the Course Director.

Interpretation of rules:

54. Any questions regarding the interpretation of the rules shall be submitted to the **Mooting Coordinator** who may resolve the problem at his/her absolute discretion.

55. The **Mooting Coordinator** reserves the right to modify, adapt or change the rules at any time.

56. Any question falling outside the scope of the rules will be resolved by the **Mooting Coordinator** at his/her absolute discretion.

Conceding a point of law

57. Neither team shall concede a point of law identified in the problem, except with the prior express consent of the other team. The Mooting Coordinator should be notified immediately of any such concession.

Simone Start

Mooting Coordinator

City Law School

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