



THE HONOURABLE SOCIETY OF
LINCOLN'S INN

INTERNAL MOOTING COMPETITION

Internal Mooting Competition

1st edn. (2016-17)

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Junior Members & Mooting Secretaries of Lincoln's Inn

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CONTACTS

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FORMAT

1. The competition will be in the form of a moot court. The factual scenario will involve making an appeal in the Court of Appeal or Supreme Court, on two separate grounds of appeal.
2. There will be three rounds:
 - 1) First Round (in Michaelmas Term)
 - 2) Semi-Finals (in Hilary Term)
 - 3) Finals (in Easter Term)
3. There will be two sides in appeal: Appellant and Respondent. Each side will be represented by a Senior and a Junior Counsel.
4. Each participant will make submissions in their allocated role, in the following order:
 - 1) Senior Counsel for the Appellant – Main submissions on the first grounds
 - 2) Senior Counsel for the Respondent – Main submissions on the first grounds
 - 3) Junior Counsel for the Appellant – Main submissions on the second grounds
 - 4) Junior Counsel for the Respondent – Main submissions on the second grounds
 - 5) Senior Counsel for the Appellant – Response to submissions on the first grounds
 - 6) Senior Counsel for the Respondent – Response to submissions on the first grounds
 - 7) Junior Counsel for the Appellant – Response to submissions on the second grounds

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- 8) Junior Counsel for the Respondent – Response to submissions on the first grounds
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5. The date for each round, as well as the moot problem, will be emailed at least one week in advance.

SELECTION & PROGRESSION

1. Selections for the First Round will be based on skeleton arguments. A moot problem will be released, and it is open to all student members of Lincoln's Inn to submit entries in the form of skeletons. These will be marked on a 20-point scale, based on criteria listed below on p. 12, and the top 16 highest-scoring participants will be selected to participate in the First Round.
2. The 16 participants will then be divided into 4 groups, using a seeding system, based on the rankings for the skeleton arguments submitted for the initial selection. They will be allocated roles, and expected to prepare individually (not in teams). They will be judged as individuals (not as a team), on a 100-point scale, based on criteria listed on p. 12. The 2 highest scoring participants from each group will progress to the Semi-Finals.
3. The 8 participants will then be divided into 2 groups, using a seeding system, based on the rankings for the skeleton arguments submitted for the initial selection. They will be allocated roles, and expected to prepare individually (not in teams). They will be judged as individuals (not as a team), on a 100-point scale, based on criteria listed on p. 12. The 2 highest-scoring participants from each group will progress to the Finals.
4. The 4 participants will be allocated roles, and expected to prepare individually (not in teams). They will be judged as individuals (not as a team), on a 100-point scale, based on criteria listed on p. 12. The 2 highest-scoring participants will be the winners of the moot.

RULES

WRITTEN SUBMISSIONS

1. Each participant will be required to prepare a bundle, containing a skeleton argument, a list of sources, and the cover page of and relevant excerpts from the sources upon which the participant seeks to rely.
 - 1.1. The skeleton and list of sources will be marked, and together account for 20 points out of 100.
 - 1.2. The remaining contents of the bundle are not marked.

2. There is no set template for the skeleton argument, but certain essential elements must be included:
 - 2.1. Name of court in which the case is being heard, name of court from which the case has been appealed, full names of parties and their role in proceedings, the nature of the document, and on whose behalf it is submitted.
 - 2.2. There is no requirement to list the factual background or issues, but participants must list their ground and the submission(s) within it.
 - 2.3. All submissions must be set out (but not in any great detail), along with references to sources. Except to address judicial intervention, or in response to the other side's submissions, participants will not be allowed to make any submission that has not been listed.
 - 2.4. A separate list of sources, containing full citations, should be provided. Sources must be organised into primary and secondary, and within each, subdivided into type.

3. Each participant must limit his/her skeleton argument to one side of an A4 sheet. S/he must do the same for list of sources.

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- 3.1. Subject to the following, participants can choose how to format their skeleton arguments and list of sources: 12 TNR font size, 1.5 line spacing, at least 1 inch margin on all sides of the page.
 - 3.2. Participants will be penalised for exceeding the page limit. 2 marks will be deducted for exceeding by up to 100%, and anything beyond this will result in a mark of 0 points for the skeleton argument and list of sources. It is thus suggested that participants save and submit pdf versions of their document, to ensure there are no changes in formatting. Additionally, participants will not be allowed to submit or rely on anything contained in their skeleton argument beyond the first page.
4. Each participant may use no more than 4 primary sources (legislation and case law), but may use as many secondary sources as they wish, in support of their submissions.
 - 4.1. All sources relied upon for submissions must be referenced in the skeleton argument, and included in the list of sources.
 - 4.2. Except to address judicial intervention, or in response to the other side's submissions, participants will not be allowed to rely on any source that has not been referenced and listed.
 - 4.3. Participants will be penalised for exceeding the limit on sources. 2 marks will be deducted for exceeding by up to 100%, and anything beyond this will result in a mark of 0 points for the skeleton argument. Additionally, participants will not be permitted to rely on any primary source beyond their first four.
5. The skeleton argument must be emailed to the mooting secretaries, at the Mooting Club email address, **2 days** before the scheduled moot, by **4 pm**. We will then email each participant his/her opponent's skeleton argument, by 6 pm on the same day. Any unjustified delay of up to 2 hours will result in a 5-

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point penalty deduction, and any unjustified delay beyond that will be considered a failure to submit, resulting in an award of 0 points for the skeleton argument.

6. Each participant must prepare a bundle, and must bring 2 copies to supply — one for the judge, and one for his/her opponent (i.e., the corresponding counsel for the other side). It is recommended that participants bring a bundle for themselves as well. Any unjustified failure to provide the complete bundle (i.e., containing the skeleton, the list of sources, and all cover pages and excerpts on which the participant relies in his/her oral submissions) to either the judge or the participant's opponent will result in a penalty of up to 10 points. It is incumbent on participants to inform the mooting secretaries if they have received an incomplete bundle from their opponent.
7. For environmental reasons, please print only the cover page of each source, and the pages containing the relevant excerpts. For cases and legislation, get printouts from the original law reports or statutes, if available (as most are, on legal databases such as Westlaw and LexisNexis). Make sure to get the entire page as appears in the law report. Participants are advised to use dividers, tabs, highlighting, etc. to make the bundles more easily navigable.

ORAL SUBMISSIONS

8. Each participant will be required to make oral submissions, and each will have the option to make a response. The entire oral advocacy component accounts for 80 points out of 100.
 - 8.1. In their main submissions, participants will put forth their case, as outlined in their skeleton.

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- 8.2. During their response, participants are permitted only to reply to their opponent's submissions, whether made during main submissions or in response. No new submissions may be made.
9. Participants must wear appropriate court attire (i.e., business formal attire), but not gowns and wigs, and long hair must be tied back. Any unjustified failure will result in a penalty deduction of up to 10 points.
10. Participants must use appropriate language in addressing the court.
11. Participants must arrive at the designated venue by the designated start time. Any unjustified delay of up to 15 minutes will result in a 10-point penalty deduction, and any unjustified delay beyond that will be considered a failure to arrive, and result in disqualification from the competition.
12. Participants are permitted to bring any non-electronic material into the competition to assist with their submissions, but electronic devices, including mobile phones, are prohibited.
13. Each participant will have 12 minutes for his/her main submissions, and 3 minutes in response. Participants may waive their right to respond if they so wish.
14. There will be a knock to indicate a when 2 minutes are remaining during the main submissions, and when 1 minute is remaining during the response. Judges will have been asked to grant very minor extensions at their discretion, if they feel it would be appropriate.

MARKING CRITERIA

WRITTEN SUBMISSIONS (20 POINTS)

1. Legal analysis (14 points)

- Structure (2 points)
- Identification of issues (2 points)
- Application of law to facts (2 points)
- Cogency of arguments (2 points)
- Comprehensiveness of analysis (2 points)
- Use of primary and secondary sources (2 points)
- Use of legal terminology (2 points)

2. Presentation (6 points)

- Fluency of writing style (2 points)
- Punctuation & grammar (2 points)
- Overall presentation (2 points)

ORAL SUBMISSIONS (80 POINTS)

1. Legal analysis (60 points)

- Organisation & structure of submissions (incl. signposting) (20 points)
- Coherence & persuasiveness of submissions (20 points)
- Coherence & persuasiveness of answers to judicial intervention (20 points)

2. Style, poise, & demeanour (20 points)

CLARIFICATIONS & DISPUTES

1. Any emails for clarifications sent to the Lincoln's Inn Mooting inbox after release of the moot problem will be responded to within 24 hours of receipt.
2. Any disputes arising from the competition must be raised by sending an email to the Lincoln's Inn Mooting inbox, immediately, and in no even later than within 1 hour of the scheduled completion of the round. Alternatively, participants can raise the matter with either or both secretaries in person within that time period, and then send an email to record it, within 24 hours of the scheduled completion of the round. The decision of the mooting secretaries is final in regards to any such dispute.