



# The Leicester Law School Medical Law Mooting Competition

## Sponsored by 1 Crown Office Row

Saturday, 1st December 2018

### Competition Format and Rules

#### **1. Entry to the competition**

- 1.1 Each participating institution may enter one team into the competition.
- 1.2 Each team will consist of two members: a leader and a junior.
- 1.3 Each team must consist of two law students, who must be registered as such with the institution that they are representing.
- 1.4 Only undergraduate law students, those registered on an LLM/MA law course, and GDL students are eligible to participate in the competition. The competition is not open to students registered on a practice course (e.g. BPTC, LPC), including a practice course that may lead to the award of an LLM degree).
- 1.5 To enter the competition, institutions must complete the competition entry form and either email it to the competition convenor at [te41@le.ac.uk](mailto:te41@le.ac.uk), or send it by post to the competition convenor: Dr. Tracey Elliott, Leicester Law School, Fielding Johnson Building, University of Leicester, LE1 7RH. The entry fee of £45.00 must also be paid via the shop@le website (<http://shop.le.ac.uk/>). The completed entry form and payment must be received by Monday, 26th November 2018.
- 1.6 With the consent of the competition convenor, participating institutions may be permitted to enter a second team into the competition, BUT ONLY IF:
  - a) There are sufficient places available in the competition;
  - b) A separate entry form and fee is paid for the second team;
  - c) The institution undertakes to provide a suitable judge to assist with the first two rounds of the competition; and
  - d) the judge attends on the day at the competition to judge.If the promised judge does not attend the competition, the second team will not be permitted to compete and the entry fee will not be refunded.
- 1.7 If places remain available in the competition by the 26th November 2018, late entries may be permitted at the discretion of the competition convenor, Tracey Elliott.
- 1.8 late and second entries will operate on a “first come, first served” basis.
- 1.9 The competition entry fee is not refundable.

#### **2. Date, Time and Location**

- 2.1 The competition will take place on Saturday, 1st December 2018 at the Leicester Law School, University of Leicester.
- 2.2 Teams should arrive at the University by 9am (or as soon as possible thereafter) for registration and coffee. If you are delayed, or unable to arrive at this time, please inform Tracey Elliott by email ([te41@le.ac.uk](mailto:te41@le.ac.uk)) or by text/mobile phone (0777 958 4887)
- 2.3 The first moot will begin at 10am promptly.

### 3. Competition Format

3.1 The competition will take place over 5 rounds.

#### 3.2 The moot problem

- a) There will be one moot problem, which will be determined by the competition convenor, and which will involve issues relating to medical law. All teams should prepare both sides of the moot.
- b) Any queries or objections about the moot problem shall be brought to the attention of the competition convenor within three days of receipt of the problem by the participating institution and will be resolved by the competition convenor.
- c) Each competing team must prepare both sides of the moot problem (i.e. both appellant and respondent).

#### 3.3 Skeleton arguments

- a) Teams should prepare two skeleton arguments: one for the appellant, and one for the respondent.
- b) Skeleton arguments should set out in summary form the main points of a team's argument.
- c) Skeleton arguments should not be longer than one side of A4 paper in total, and should be typed in a font no smaller than 12 point (i.e. a team's entire skeleton argument for one side should be no longer than one side of A4 paper).
- d) Each team should be able to provide the competition convenor with **four** copies of each of their skeleton arguments upon registration on the morning of the competition. Please make sure that the name of your institution is marked clearly upon your skeleton arguments.
- e) The skeleton argument must contain all authorities on which a team intends to rely.
- f) No team may rely on more than EIGHT legal authorities:
  - (i) this does not include any authorities referred to in the moot problem.
  - (ii) 'authorities' includes all legal material, including cases, statutes, treaties, texts, articles etc.
  - (iii) An authority cited in a skeleton argument by one party may be used by either party to that moot for any purpose.
  - (iv) A single case which has been determined by a number of domestic courts (i.e. a case which has been decided in the High Court, appealed to the Court of Appeal and thereafter to the Supreme Court) counts as one authority, but a party must cite all references that it intends to use.
- g) Where a case has been reported in a number of law reports, the best available report should be used. The order of priority for law reports is as follows:
  - (i) The Law Reports
  - (ii) The Weekly Law Reports
  - (iii) The All England Law Reports
  - (iv) Other law reports
- h) Skeleton arguments and bundles will be exchanged 20 minutes before a moot begins.

#### 3.4 Bundles

Each team must bring to the competition THREE bundles containing photocopies of the authorities upon which they intend to rely for each side of the moot problem (i.e. three for the appellant, three for the respondent).

#### 3.5 The First Two Rounds

- a) All participating teams will compete in the first two rounds of the competition.
- b) The first two rounds will be conducted on a points basis. Teams will receive marks for the content of their legal argument, presentation, flexibility in handling interventions and overall impression.

- c) At the end of the second round, the marks for the teams from both rounds will be combined. The eight teams with the highest overall marks will progress to the quarter finals of the competition.
- d) If there is a tie for eighth place at the end of the second round, there will be a tiebreaker. The tiebreaker will consist of the leader for each of the tied teams speaking for 5 minutes upon the first ground of appeal. Which team represents the Appellant will be determined by the toss of a coin.
- e) The format and timing for the first two rounds will be as follows:

Leader Appellant	15 minutes
Leader Respondent	15 minutes
Junior Appellant	10 minutes
Junior Respondent	10 minutes

- f) There will be no right of reply
- g) The clock will not be stopped during interventions.
- h) Time will be kept by a clerk, who will warn counsel when:
  - (i) they have five minutes left
  - (ii) they have one minute left
  - (iii) time has elapsed.

### 3.6 The quarter finals

- a) The quarter finals will be conducted on a knockout basis.
- b) The format and timing for the quarter finals, will be as follows:
 

Leader Appellant	15 minutes
Leader Respondent	15 minutes
Junior Appellant	10 minutes
Junior Respondent	10 minutes
- c) There will be no right of reply.
- d) The clock will not be stopped during interventions.
- e) Time will be kept by a clerk, who will warn counsel when:
  - (i) they have five minutes left
  - (ii) they have one minute left
  - (iii) time has elapsed.

### 3.7 The semi-finals

- a) The semi-finals will be conducted on a knockout basis.
- b) The format for the semi-finals will be as follows:
 

Leader Appellant	15 minutes
Junior Appellant	10 minutes
Leader Respondent	15 minutes
Junior Respondent	10 minutes
Appellant's Reply	2 minutes
- c) The clock will not be stopped during interventions.
- d) Time will be kept by a clerk, who will warn counsel when:
  - (i) they have five minutes left
  - (ii) they have one minute left
  - (iii) time has elapsed.

### 3.8 The final

- a) The final will be conducted on a knockout basis.
- b) The format for the final will be as follows:

Leader Appellant	20 minutes
Junior Appellant	15 minutes
Leader Respondent	20 minutes
Junior Respondent	20 minutes
Appellant's Reply	5 minutes

- c) The clock will not be stopped during interventions.
- d) Time will be kept by a clerk, who will warn counsel when:
  - (i) they have five minutes left
  - (ii) they have one minute left
  - (iii) time has elapsed.

3.9 The competition convenor may, in her absolute discretion, alter or amend the timing of moots if that is necessary to ensure the smooth and timely running of the competition on the day.

#### **4 Judges**

- a) Judges shall ask any questions of mooters that they feel to be appropriate.
- b) Judges will mark the first two rounds of the competition using the mark scheme used on the attached marking form.
- c) The judges of the semi-finals and final will decide which team has won the moot.
- d) The decision of the judge (or judges) is final.

#### **5. Queries, Disputes etc**

- a) The competition convenor shall have absolute discretion to resolve any question or determine any objection concerning the rules or application of these rules.
- b) The competition convenor may, in her absolute discretion, alter or amend these rules if that is necessary to ensure the smooth and timely running of the competition.
- c) The competition convenor reserves the right to disqualify any participating team that fails to comply with these rules in a material respect or acts contrary to the spirit of the competition.

#### **6. Publicity**

It will be assumed that all teams consent to their names, the name of their institution and photographs of them being publicised in press releases, internet pages or reports (whether in the print media or on the internet) relating to the Competition.

**The Leicester Law School  
Medical Law Mooting Competition  
Saturday, 1st December 2018  
Mark Sheet**

**Appellants**

Name of institution:.....

Name of leader:.....

Content of argument	/30
Presentation	/30
Ability to respond to interventions	/20
Overall impression	/20
Total for leader	/100

Name of junior:.....

Content of argument	/30
Presentation	/30
Ability to respond to interventions	/20
Overall impression	/20
Total for junior	/100

**Total for Appellants** /200

**Respondents**

Name of institution:.....

Name of leader:.....

Content of argument	/30
Presentation	/30
Ability to respond to interventions	/20
Overall impression	/20
Total for leader	/100

Name of junior:.....

Content of argument	/30
Presentation	/30
Ability to respond to interventions	/20
Overall impression	/20
Total for junior	/100

**Total for Respondents** /200