



INTERVARSITY CRIMINAL LAW MOOT COMPETITION 2020

RULES



1. APPLICATION AND TITLE	
1.1	These Rules apply to the Younes + Espiner Intervarsity Criminal Law Moot Competition 2020 , henceforth referred to as the ‘Competition’.
1.2	The long title of the Competition is: Younes + Espiner Intervarsity Criminal Law Moot Competition 2020.
1.3	The short title of the Competition is: IV Moot 2020
2. DEFINITIONS	
2.1	<i>Competitor/s:</i> Any person/s who have registered for the Competition and have done so in accordance with these Rules.
2.2	<i>Competition:</i> Younes + Espiner Intervarsity Criminal Law Moot Competition 2020.
2.3	<i>Team:</i> The two competitors from one university registered as one team in the Competition.
2.4	<i>Rules:</i> Younes + Espiner Intervarsity Criminal Law Moot Competition 2020 Rules.
2.5	<i>UOW:</i> University of Wollongong.
2.6	<i>UOWLSS:</i> University of Wollongong Law Students’ Society.
2.7	<i>UOWLSS Competitions Team:</i> The UOW Competitions Team is comprised of the Vice-President (External Competitions), the Vice-President (Internal Competitions) and at least one (1) Competitions Officer.
3. REGISTRATION	
3.1	Registration opens on Friday, 31 July 2020 .
3.2	Registration closes on Monday, 24 August 2020 at 5:00pm (AEST) .
3.3	Registration will be confirmed on Tuesday, 25 August 2020 .
4. TEAMS	
4.1	Each University may register up to two (2) teams in the Competition.
4.1	Each team participating in the Competition will be composed of two (2) Competitors. Each team will consist of two speaking members (one Senior Counsel and one Junior Counsel).
4.2	The Competition will be limited to a total of 28 teams.
4.2.1	Preference will be given to teams based on date and time of registration.
4.2.2	The maximum number of teams in the Competition may be increased or decreased subject to the discretion of the UOWLSS.
4.3	Unless otherwise stated in these Rules, the penalties for breach of these Rules will be at the discretion of the UOWLSS Competitions Team. Please see paragraph 15 for the appeals process.
4.4	No team shall register more than one (1) Competitor who has previously participated in any international mooted competition, including the national rounds of any international mooted competition (e.g. Jessup Australian rounds).
5. COACHING	
5.1	A team may have one (1) coach.

5.2	The coach may provide general feedback and advice but are not to devise oral and written arguments / submissions for the team, or otherwise assist with researching any and all legal, factual and jurisdictional issues arising from the problem question(s). Oral and written arguments / submissions are to be devised solely by registered team members.
5.3	A person, other than a coach, may not assist a team to devise written or oral arguments / submissions.
5.4	Neither coaches nor Competitors may observe other rounds of the Competition other than those in which their team is competing.
5.4.1	The rule does not apply to the Semi-Final rounds where the team observing said rounds is no longer competing in the Competition.
5.4.2	The rule does not apply to the Grand Final round.
6. STRUCTURE	
6.1	The Competition will consist of two (2) preliminary rounds occurring on Saturday, 3 October 2020 .
6.1.1	Each team, as far as practicable, will present a case as the Appellant and the Respondent.
6.2	The results of the preliminary rounds will be made available at 6:00 PM on Saturday, 3 October 2020 by way of email .
6.3	The top four scoring teams will progress into the Semi-Final rounds which will commence at 9:00 AM on Sunday, 4 October 2020 .
6.4	The winners of each Semi-Final round will proceed to the Grand Final round which will be held at 2:00 PM on Sunday, 4 October 2020 .
6.5	The winners, as well as the best oralists of the competition, will be awarded at the Award Ceremony (details TBA).
7. WRITTEN SUBMISSIONS	
7.1	Teams will prepare one written submission for the Appellant and one written submission for the Respondent.
7.2	Written submissions must contain: <ul style="list-style-type: none"> (a) Outline of the structure of the team’s submissions (b) Major arguments to be raised; (c) Allocations of speaking time; (d) List of Authorities on which Counsel rely. The List of Authorities will not count toward the three (3) page limit.
7.3	Teams will be required to submit written submissions for the Appellant and Respondent with a maximum page length of three (3) pages, adhering to the following formatting requirements: <ul style="list-style-type: none"> (a) The use of size 12 Times New Roman font; (b) Minimum of 1.0 spacing; (c) Margins of a minimum of 2cm on all sides; and, (d) PDF format.

Penalty	Written submissions that do not meet the formatting requirements will be reformatted in accordance with the requirements as set out in rule 7.3. Any text beyond three (3) pages will be removed before the submissions are distributed to the judge(s) and marked accordingly.
7.4	Written submissions must be clearly labelled with the team's number (as assigned by the Vice-President (External Competitions)) and must not contain the names of the Law School that the team is representing.
7.5	Written submissions are electronically filed by attaching the document in PDF format in an email to the Vice-President (External Competitions), Angus Mullins, at intersivarsity@uowlss.net .
7.5.1	Each team must submit the Appellant submission by 5:00 PM (AEST) Wednesday, 23 September 2020 ; and
7.5.2	Each team must submit the Respondent submission by 5:00 PM (AEST) Wednesday, 30 September 2020 .
Penalty	Late submissions will incur a 10% reduction in the overall team mark for each 24-hour period or part thereof they are overdue. This deduction will be applied in each preliminary round and in the finals. In the event of a dispute, the official time is taken to be the time that the submissions are received according to the Vice-President (External Competitions) email records.
7.5.3	An acknowledgement of receipt will be sent to teams as soon as possible after receipt.
7.5.4	Teams should re-send their submissions if they do not receive an acknowledgement of receipt within 24-hours of filing.
7.6	Submissions will be distributed via email to the opposing teams in the preliminary rounds as follows:
7.6.1	Appellant submission will be exchanged on Thursday, 24 September 2020; and
7.6.2	Respondent submission will be exchanged on Thursday, 1 October 2020.
7.7	Written submissions may be updated prior to the Semi-Final and Grand Final rounds.
7.7.1	Updated submission times will be provided to teams progressing to the Semi-Final and Grand Final rounds.
8. REQUESTS FOR CLARIFICATION	
8.1	Requests for clarification must be emailed to the Vice-President (External Competitions) at intersivarsity@uowlss.net .
8.2	Whilst an effort will be made to secure answers to clarification questions, the author of the problem question reserves the right to select which clarification questions they will answer.

8.3	No requests for clarification regarding the problem question will be accepted after Sunday, 20 September 2020 .
9. ORAL SUBMISSIONS	
9.1	There will be two (2) preliminary rounds on Saturday, 3 October 2020 .
9.2	The draw shall allow for each Team to moot for both sides of the argument at least once and an equal number of times (to the extent that is reasonably possible).
9.2.1	Where there is an unequal number of teams, or a team has withdrawn and there is no available reserve team resulting in an unequal number of teams, a ‘Volunteer Team’ may elect to moot in three preliminary rounds.
9.2.2	The additional (third) moot by the Volunteer Team in the preliminary rounds does not: <ul style="list-style-type: none"> (a) Contribute towards the Volunteer Team’s average score; nor (b) Contribute to individual scores.
9.3	In each moot, each team will be presented by a Senior Counsel and a Junior Counsel. Speakers shall present in the following order: <ul style="list-style-type: none"> (i) Senior Counsel for the Appellant; (ii) Junior Counsel for the Appellant; (iii) Senior Counsel for the Respondent; (iv) Junior Counsel for the Respondent;
9.4	Teams will have a total of 40 minutes in which to present their oral submissions.
9.4.1	This excludes time taken to give appearances.
9.4.2	The allocation of time between Senior and Junior Counsel may be divided as they see fit provided that each Counsel is allocated a minimum of fifteen (15) minutes to present their oral submissions.
Penalty	Continuation of oral submissions beyond the allocated times without the express permission of the judge: one (1) mark deducted for every minute or part thereof.
	There will be a time warning two (2) minutes before the end of the allocated times.
9.5	Upon request from the Competitor, judges may grant an extension of time of up to two (2) minutes per Competitor.
9.6	A Competitor must stop speaking when asked to do so by a judge.
9.7	Competitors must arrive on time for the commencement of each of their respective rounds.

Penalty	If any Competitor is more than five (5) minutes late for the commencement of their respective round, a deduction of two (2) marks for the first five (5) minutes they are late shall be applied and a deduction of one (1) mark per two (2) minutes thereafter shall be applied at the discretion of the Vice President (External Competitions).
9.8	Team members are not permitted to communicate verbally with each other while a moot is in progress. Coaches may not communicate in any way with team members while a moot is in progress under any circumstances.
9.9	During the course of the moot, teams must not use any device to access the internet aside from being in the Zoom meeting or to otherwise communicate with the other team member outside the Zoom meeting where the moot is being held.
9.10	Mobile telephones and other electronic devices may be used only for the purpose of keeping time, with the permission of the presiding judge.
9.11	Teams are not bound by their written submissions in oral rounds and may deviate from their written submissions, with the permission of their judge. Judges may refuse permission at their discretion.
10. JUDGING	
10.1	The written submissions will be judged in accordance with the scoresheet affixed to these rules as 'Annexure A'.
10.2	The oral submissions will be judged in accordance with the scoresheet affixed to these rules as 'Annexure A'.
10.3	For each moot, each team will receive an overall mark out of 200. This will consist of up to 20 marks for the written submissions and up to 180 marks for the oral submissions (calculated by adding the two individual speakers' scores).
10.4	Teams will receive two points for a win and one point for a loss. In the event of both teams receiving the same overall mark in a given round, each team will receive 1.5 points. The four teams with the highest number of points after the preliminary rounds will advance to the Semi-Finals round. In the event of multiple teams having the same numbers of points, the respective rankings of those teams will be determined by comparing their overall marks.
10.5	In the Semi-Final round, the first-ranked team (based on scores from preliminary rounds) will moot against the fourth-ranked team, and the second-ranked team will moot against the third ranked team. The two winning teams will progress to the Grand Final.
10.6	Judges are encouraged to give feedback to teams at the conclusion of each round. However, a failure to give reasons will not constitute grounds for appeal.
10.7	In the preliminary rounds, judges are asked not to reveal the winner of the round, or individual speaker scores.

10.8	In the Semi-Final round, judges will announce the winner of the moot immediately upon the conclusion of the round.
10.9	The winner of the Grand Final will be announced at the Award Ceremony (details TBA).
11. BEST ORALIST AWARD – PRELIMINARY ROUNDS	
11.1	There will be an award for the best oralist in the preliminary rounds.
11.2	Only performances in the preliminary rounds will be considered.
11.3	For each moot, every competitor will be ranked individually as either first, second, third or fourth. This ranking will be given according to the competitor's score relative to the other competitors in that moot. If there is a tie for first, both (or all) tying speakers will receive a ranking of first.
11.4	Of the competitors achieving all first (1st) rankings, the mooter with the highest average score for their best two (2) moots will be declared the best speaker in the preliminary rounds.
11.5	If no competitor achieves all first (1st) rankings, the competitors with the most first rankings will be considered.
11.6	At the discretion of the Vice-President (External Competitions), an award of runner up may be given to any mooters in close contention for the award of best speaker in the preliminary rounds.
12. BEST ORALST AWARD – GRAND FINAL	
12.1	There will be an award for the best oralist in the Grand Final.
12.2	The speaker who receives the highest number of individual speaker points in the Grand Final will be declared the best speaker in the Grand Final.
12.3	In the event of a tie, the competitor with the highest average score for their two (2) best moots in the preliminary rounds will be declared the best speaker in the Grand Final.
12.4	At the discretion of the Vice-President (External Competitions), an award of runner up may be given to any competitors in close contention for the award of best speaker in the Grand Final.
13. RELEASE OF MARKS	
13.1	No win / loss result, or individual speaker scores, will be released at the conclusion of each preliminary round. Competitors must not ask a judge to provide them with the win / loss result, individual speaker scores or overall team mark.
13.2	At the end of the competition, the win / loss result and overall team marks from each preliminary rounds will be made available at request via email.

13.3	At the conclusion of the competition, competitors may request their individual speaker scores by emailing intervarsity@uowlss.net within two weeks. Individual speaker scores will otherwise be treated confidentially.
14. INCONSISTENCY	
14.1	In the event that two or more provisions in these Rules and / or the Appeals Policy contravene one another, it is at the discretion of the UOWLSS Vice President (External Competitions) and the UOWLSS President to select the rule that is to take primacy.
14.2	The UOWLSS reserves the right to amend any rules at any point prior to or during the competition.
15. DISPUTES AND APPEALS	
15.1	Any dispute in relation to a breach or alleged breach of these rules will be finally and conclusively resolved by the UOW Competitions Team, except in the case of a complaint raised against the Vice-President (External Competitions), which will be resolved by the UOW Law Students' Society President and an academic from the UOW School of Law.
15.2	Any complaint that a team or judge has breached one of the above rules should be emailed to intervarsity@uowlss.net with as many details as possible provided about the incident. If a complaint is raised about the conduct of the Vice-President (External Competitions), it should be emailed to the UOWLSS President at president@uowlss.net .
15.3	Any complaint regarding the conduct of a team, organiser, or judge in relation to the competition which does not constitute a breach of one of the above rules should be emailed to intervarsity@uowlss.net . However, the Vice-President (External Competitions) reserves the right to take no action in relation to any such complaints.
15.4	There will be absolutely no appeals from the decisions of judges except in the case of an obvious typographical or transcription error in the scoresheet. In particular, there will be no appeals on grounds of merit, unreasonable decisions, or lack of reasons given for decisions.
15.4	Competitors must appeal of via email within 45 minutes of the completion of their round.
16. Virtual Moot	
16.1	The 2020 Competition will be conducted on the online video conferencing platform, Zoom.
16.2.1	To ensure consistency and fairness, all Competitors must have their own Zoom account (unless competitors are at the same location).
16.3	Each moot will have a UOWLSS representative present to 'host' the moot ('Host').

16.3.1	The Host will introduce the Competitors and the Teams.
16.3.2	Any technical issues or difficulties are to be communicated to the Host.
16.4	All moots will be scheduled by the Host.
16.4.1	The Host will send invitations via email to each competitor in each Team and their Coach.

‘Annexure A’

2020 INTERVARSITY CRIMINAL LAW MOOT MARKING SHEET

Judge: _____ Date: _____

Appellants: _____

Respondents: _____

Speaker: _____

Final Score: /100

Content	<50 – 60	61 – 70	71 – 85	86 – 100	Comments and Score (Additional Space over page)
Organisation of Presentation	Insufficient overview of submissions or conclusion. Organisation poor: lacks structure or direction: poor time management.	Adequate overview of submissions and conclusion. Argument may have been better structured, too lengthy or too brief in parts.	Clear focus, concise overview and conclusion. Arguments clearly and logically structured.	Effective overview and conclusion, noting relative significance of arguments. Flexible and engaging.	/10
Development of Argument	Understanding of legal issues inadequate or inappropriate use of authorities.	Good approach but lacks clarity or directness. Addresses all key issues; though some arguments given inappropriate weight. Poor application of law to the facts.	Good understanding of all legal issues; good use of authorities. Effective application of law to the facts. Generally logical and persuasive.	Excellent understanding of legal issues and their interrelationship, policy arguments and authorities. Addresses and rebuts opposing arguments. Logical and persuasive.	/25
Questions from the Bench	Unprepared for questions reasonably to be expected. Evades answering, Poor composure. Inflexible or concedes too readily.	Fails to perceive the object of questioning. Responses sometimes too lengthy or too brief. Responses lack clarity or directness.	Accurately perceives the object of questioning. Responds to questions directly and concisely. Handles irrelevant questions well.	Accurately perceives the object of questioning. Clear responses; engages with the court’s views. Effectively integrates responses and argument.	

					/30
Speaking Ability and Delivery	Lacks proper courtesy. Lacks clarity of language and expression. Fails to observe correct etiquette and terminology. Over reliance on notes.	Courteous and clear. Lacks variation of tone, pace, and expression. Poor eye contact. Good knowledge of court etiquette and terminology.	Courteous and clear. Good use of language, gesture and expression. Comfortable with interventions, conveys confidence.	Conveys ideas and deals with interventions with ease, skill and confidence. Engages well with court. Conveys impression of conviction and sincerity.	/25
Submissions	Consider clarity of expression, length, case list, relevance of submissions to argument, reference to points of submission, understanding of and ability to expand on submissions.			Deductions for lateness:	/10

Additional Comments: