

# Non-Law Mooting workshop

12th October 2023  
(Henry and Alex)

# What is mooting and why moot

- Mooting is a form of legal debate where two teams seek to persuade a judge that their interpretation of a contentious point of law in a hypothetical scenario is correct
- Always set in appellate courts so no witnesses or juries - mooting is not a mock trial
- The appellants look to overturn the judgment of the lower court, whilst the respondents argue it should be held
- Mooting is essential skill for barristers, whilst advocacy experience is also beneficial to solicitors given higher rights of audience
- Plenty of other transferable skills like research and communication
- Good way of showing interest in law

# How to structure an argument

- Lower courts are bound by higher courts, and generally by previous court decisions
- Imagine argument structure like this:

Ground of appeal

Overarching argument

Submission I

Sources to back up submission

Submission II

Sources to back up submission

- Sources to back up submission refer to mainly cases, found on Westlaw, and statute, meaning acts of Parliament
- You should refer closely to the language used in cases, to both demonstrate how the case supports your argument and why this case is relevant to the problem

## Example

- **Ground of Appeal:** It was found by Jones LJ that there was no offer. He found that there was an invitation to treat.

If you were arguing for the appellants you would set your arguments out as follows:

- **Ground of Appeal:** It is submitted on behalf of the Appellant that Kill LJ erred in finding that there was no offer. It is submitted that there was an offer as opposed to an invitation to treat.
- **Submission I:** Following the authorities of X and Y the statement in question is not an invitation to treat.
- **Submission II:** Following the authorities of X and Y it is submitted that the statement in question amounts to an offer.

# Bundles

- Bundles are documents containing all the material you will refer the Judge to during your submissions. They should include:
  - ★ A copy of the Moot problem;
  - ★ A copy of your Skeleton Argument;
  - ★ Copies of any authorities which you intend to rely upon in the moot with the appropriate text highlighted
- In most moots, you will be required to present physical copies to the judges. This is so they can read specific materials of your argument as you refer to them in your speech.
- [\(Example Bundle\) Fernanda - 49 Lynette Koh + Fernanda Chia 6 Nov 7.4opm.pdf](#)

# How to deliver an argument (Advocacy)

- Mooting advocacy is far more about what you say than how you say it
- Submissions can be very technical: You should aim to communicate your argument to the judges as clearly as possible, making it easy for them to follow your bundles
- Judges will intervene on your speech to ask questions and challenge your points, so don't write down a speech expecting to read it all out. You will be forced to think on your feet. Having brief notes with signposts is much more practical.
- Adapt to time; nothing wrong with scrapping submissions, skip to other submissions at the request of judges and shorten your planned material as required.

Any questions?

# Events coming up

**NON LAW PRACTICE MOOT** - Sign ups close tonight, moot will be October 20th

Legal research and arguments workshop - October 13th

Oral advocacy workshop - October 16th

Bundle workshop (highly recommended) - October 19th

Novice Cup Sign-ups close - October 21st