

## **Frequently Asked Questions**

### **Registration and Entry**

**Question:** Can you help me find a mooting partner?

**Answer:** We cannot provide this service. You might try using social media or Mootis, the social network specifically for those interested in law.

**Question:** I am due to commence the BPTC in September having graduated a couple of years ago and sought advocacy experience since then. Am I eligible to enter the moot, given that I am not 'at the time of entering' in higher or further education, but will be from September?

**Answer:** No. You must be registered as a student (full or part time) at the time of registration. The closing date for registration is 31<sup>st</sup> May in the Competition Year.

**Question:** I am on a gap year and completed my GDL last academic year and will begin the BPTC at BPP in London in September. I have already accepted my place there and begun the process of registering. Am I eligible?

**Answer:** Unless you are actually registered with the educational establishment in question at the time of registration for the Moot, you are not eligible.

**Question:** I am currently a BPTC student but will complete the BPTC in June. I understand that the rules state that the entrants must be students at the time of registration, however, I will complete the BPTC in June. Am I eligible?

**Answer:** You are eligible provided you are a registered student at the time of registration for the competition. So yes, you are eligible to enter.

### **Requests for Clarification**

**Question:** Can I ask for clarification with regard to a moot problem?

**Answer:** It is not generally possible to give further guidance to one moot team in answer to such requests, because this might give rise to an unfair advantage. However if a genuine ambiguity has arisen, the Moot Judges will take this into account in judging the outcome of that particular round.

### **Round 1: Authorities and Skeleton Arguments**

**Question:** When you ask for electronic copies of authorities used in our skeleton arguments, will hyperlinks to the relevant case on bailii.org suffice, or are you after PDFs?

**Answer:** No. Electronic copies of the authorities in pdf format must be provided.

**Question:** In the Rules of the moot, it is stated that the skeleton must be no longer than two A4 pages in length. However, the skeleton template (provided in your

attachment) includes a formal heading, which takes up half of the first page. Does the two page limit include or exclude this heading?

**Answer:** The skeleton argument must not exceed two pages including the heading.

### **Travel Expenses**

**Question:** We have been invited to attend the regional rounds, however the place offered is in London and we are coming from Edinburgh! Is there any possibility of any reimbursement for travel expenses for the journey to London.

**Answer:** The strict position is that we cannot undertake to reimburse travel expenses, even if the only regional place is a great distance away (see Rule 5). In the initial year of the competition the vast majority of candidates informed us that London was their nearest town. This may change from year to year, but we cannot undertake to cover travel expenses.

### **Round 2: Appellant or Respondent**

**Question:** In Round 2 will mooters have to be prepared to represent either party, or will we be assigned a role prior to the start of the round?

**Answer:** Yes - you have to prepare to represent both sides. Which side you represent will be the subject of random choice on the day. Since you will moot twice on the day you may have to represent both sides, one in the morning and one in the afternoon.

**Question:** In Round 2 when do we find out whether we are respondents or appellants?

**Answer:** Whether the Team is to argue on behalf of the appellant or the respondent will be decided by the drawing of lots no later than 30 minutes prior to the team beginning oral submissions (Rule 29).

### **Round 2: Authorities**

**Question:** In Round 2: are we only allowed to use the authorities you have provided or may they use additional ones if they think they need to?

**Answer:** No, you may only refer to the authorities we have provided (Rule 27).

**Question:** Can we include non-legal authority or materials or are we supposed to strictly stick to the cases provided? The problem involves reference to some terms and conditions and we want to show the Judge some real life terms and conditions from this industry for comparison purposes.

**Answer:** No. You may only rely on the authorities provided and no other material may be deployed, whether legal or non-legal.

**Question:** In Round 2: In one of the cases you have provided the Judge makes reference to another case. Are we able to quote the Judge quoting other cases?

**Answer:** You may refer to any part of the authorities you have been provided with, this includes any part of the judgment which refers to another case, even though that case has not been provided.

**Question:** For the second round, will we need to create a bundle for our opposing team and the judge?

**Answer:** You only need to bring one bundle of authorities for each Team Member. You do not need to bring any copies of anything for the other mooters or for the Judge(s).

**Question:** Where the rules say that we are to bring copies of the problem and Authorities for each Team member, does that mean that we cannot share a copy?

**Answer:** Provided you will not need to refer to the same bundle at the same time, for example while your mooting partner is making their submissions, there is no problem with you sharing a single bundle of authorities.

## **Round 2: Skeleton Arguments**

**Question:** With reference to rule 27, 'Written skeleton arguments may not be submitted in Round 2.' Does this mean simply that there will be no skeleton swap in advance or does it mean no skeleton arguments will need to be produced whatsoever?

**Answer:** You may not rely on a skeleton argument at all.

**Question:** When you say that you may not rely on a skeleton argument, I have actually prepared one and brought it along on the day. I know that I cannot hand it in, but can I read from it for my oral submissions?

**Answer:** "Rely" in this sense means with regard to the Judge. Provided you do not hand the document in to the Judge there is no bar to you using it as your notes for your oral submissions.

**Question:** I know a skeleton isn't necessary but I was just wondering whether we are required / whether it is advisable to prepare a bundle for the judge(s).

**Answer:** You do not need to prepare anything for the Judges. We will provide them with copies of the authorities. You do not need a bundle prepared for the Judge on the day, whether it includes a skeleton or not.

## **Dress Code**

**Question:** What is the Dress Code for the Rounds?

**Answer:** For Rounds 2 and 3: Business Attire. For the Grand Final: Black Tie.

## **Substituting a Team Member**

**Question:** Due to unforeseen circumstances I will not be able to partake in The Times 2TG Moot round on the date allocated, however my partner, is still able to participate on this date. Would we be permitted to use a stand-in competitor?

**Answer:** Team members may not be substituted in any circumstances. If a single team member is not available on the date of a Moot due to sickness or other exceptional circumstances the Coordinator may, in their absolute discretion, allow the remaining Team member to conduct the Moot on behalf of both Participants in the Team. Such discretion will only normally be exercised if the circumstances preventing the absent Team member's attendance were (i) outside of his/her control and (ii) unforeseeable. It is not anticipated that it would ever be appropriate to exercise this discretion twice for the same team in a single Competition (Rule 8).

## **Final: Authorities**

**Question:** I have got to the Grand Final and the opposition are relying on a case which is over 200 pages long. They have therefore selected 10 pages which they rely on, but we want to show the Judge another passage which shows that it does not support their proposition, can we rely on that part of the case.

**Answer:** Yes. If you tell us beforehand we will make sure that the additional pages you want to refer to are also available.

## **Coaching and Mentoring**

**Question:** May we engage the help of a teacher or college lecturer to mentor and coach us?

**Answer:** Mooters may receive a measure of coaching/mentoring. However the content of the students' submissions (both oral and written) must be their own original work. We would investigate a situation where a number of teams from the same educational establishment appeared to have striking similarities in what they were saying

**Question:** Are we allowed to organise practice moots around the Moot Problem?

**Answer:** It is not a breach of the Rules for Mooters to rehearse their submissions with each other or with third parties. However the content of the students' submissions (both oral and written) must be their own original work.

**Question:** My College tutor has some brilliant ideas for this moot problem, can I use them?

**Answer:** A coach/mentor can give Participants general pointers as to the areas of law that they should look at or research further but not to suggest specific cases or lines of argument.

**Question:** My college have organised a practice moot around your problem. At the end the Judge will give us feedback included suggestions as to the way in which we should have answered questions. Is this allowed?

**Answer:** Guidance may be given as to mooting style and such general pointers as the order in which arguments might be deployed – but not to the extent that the coach/mentor was suggesting ideas or new arguments that the student had not thought of and not answers to any questions that might have come up.

**Question:** What practical ways may be make sure that we don't breach the spirit of the rules in engaging in a rehearsal for the moot?

**Answer:** It might be wise to ensure that as many students as possible are present (so as to avoid the temptation of making the guidance too specific). Where feedback is given, every effort should be made to ensure that it is student-led, and that the input of any teacher / qualified professional is limited as set out above. The touchstone is fairness and we are keen that mooters are on as equal a footing as possible.