



# FRANCES CLAUDIA WRIGHT INTER-COLLEGIATE MOOT COURT COMPETITION

## OFFICIAL RULES

### 1. Name

The **FRANCES CLAUDIA WRIGHT INTER-COLLEGIATE MOOT COURT COMPETITION** will be organised by the Institute for Legal Research and Advocacy for Justice (hereinafter referred to as ILRAJ) in collaboration with the National Mooting Council (hereinafter referred to as NMC).

### 2. Overall Objective

This Competition aims to train Sierra Leonean law students and improve their participation in national, regional and international competitions. It provides an opportunity to debate a cutting-edge topic in law and recent policy developments. Students will be given a hypothetical case and will argue for both the Applicant and Respondent in the case by writing legal memoranda and preparing oral arguments for presentation in front of a panel of judges.

### 3. Organisers

3.1 ILRAJ is an independent, non-partisan public policy research and educational think tank established to explain, monitor and contribute to the protection of human rights and the rule of law; preserve, study, and enhance accountability to justice; increase awareness and understanding of and promote, women's and children's rights, youth justice and respect for human rights; promote capacity building amongst women, the youth, disadvantaged communities and groups. Fosters innovative academic research and scholarship; research for policy purposes and law reform sensitization, litigation and advocacy to enforce the rights of individuals, communities and disadvantaged groups.

3.2 NMC is a consortium of young visionaries from different colleges who recognize the profound significance of possessing sound advocacy abilities coupled with a firm grip on the court's language. Our aims are to promote the culture of mooting among law students in Sierra Leone, facilitate the training of law students who aspire to be mooters and prepare such students for national and international moot competitions and organise workshops, training and seminars on oral and written legal advocacy for students. Inspired by the experience, exposure and outlet provided by ILRAJ, a group of students decided that teaching others the valuable skills acquired during the Competition would be an ideal way to preserve the culture of mooting and help prepare other colleagues for intense courtroom encounters: and so, the National Mooting Council was formed, predominantly to complement the efforts of ILRAJ in building the body of knowledge in the legal community. Our goal is to collaborate with the Institute for Legal Research & Advocacy For Justice (ILRAJ) to organize moot court competitions, train intending participants and generally equip budding lawyers with critical skills upon which they can build.

### 4. Host



The **FRANCES CLAUDIA WRIGHT INTER-COLLEGIATE MOOT COURT COMPETITION** will be held at the University of Makeni Campus, Makeni and hosted by the Law Society, University of Makeni, from 1<sup>st</sup> - 4<sup>th</sup> November 2021.

**5. Steering Committee**

The administrative authority over the Competition rests with the Steering Committee established by ILRAJ and NMC.

**6. Composition of panels of judges**

The judges in the preliminary rounds of the Competition are legal practitioners who will be selected by the Steering Committee in consultation with the ILRAJ Board. In the final round, the judges will be recognised experts in international law and human rights, including judges of the superior court of judicature of Sierra Leone selected by the Steering Committee in consultation with the ILRAJ Board.

**7. Official programmes**

The Steering Committee will issue an official programme indicating the time and venue of the preliminary rounds and the final of the Competition.

**8. Problem to be argued**

The hypothetical case (the problem) to be argued will be made available at least one month before the commencement of the Competition to all participants and judges.

**9. Preliminary rounds**

9.1 A draw will be conducted to determine the teams that meet in the preliminary rounds.

9.2 In the preliminary rounds, a team argues the problem twice: once as applicants and once as respondents.

9.3 The two top-performing teams are announced after completing the preliminary rounds at the end of the last session.

**10. Final Round**

The two teams scoring the highest point in the preliminary rounds will compete in the final round. The Judges will announce the winner of the Competition at the end of the final round. The decision of the Judges is final.

**11. Eligibility**

11.1 All law students from a department or faculty of law in an accredited college or university in and within Sierra Leone are eligible to participate in the Competition.

11.2 The following categories of persons are prohibited from taking part in the Moot: legal practitioners, judicial officers and persons already holding a first degree in law (LLB)

**12. Team**

Law faculties or departments in Sierra Leone should apply in teams of a minimum of three members and a maximum of five. Team members must be law students, and only students studying for their first law degree are eligible to participate in the Competition. The Steering Committee has the authority to rule on whether a particular degree should be considered a first degree. A team member must be a full-time student of a faculty or



department of law in a university in and within Sierra Leone. The decision of the Steering Committee is final.

### 13. Team Selection

13.1 A team will be composed of a minimum of three (3) members and a maximum of five (5). Each team must be gender balanced and include members of the other gender.

13.2 Two members will serve as advocates in the moot proceedings and one solicitor per session.

13.3 For the Competition, notice to one team member will constitute notice to all team members.

13.4 The same students who registered at the start must participate throughout the Competition.

13.5 No additional team members are allowed to participate in the Competition after the preliminary rounds have started.

13.6 Each team should comprise at least three members and a maximum of five, with at least one from each gender.

### 14. Assistance

Assistance rendered to a team in preparing its case, including from faculty members, must be limited to a general discussion of issues, suggestions as to research sources and decision making. Any assistance which would interfere with the presentation being substantially the original work of the team members is strictly prohibited.

### 15. MEMORIALS

Each team must prepare separate memorials (heads of argument or written pleadings) in support of the case of the Applicant and the Respondent.

**15.1 Memorial general format** Each Memorial must be composed of the following: A standard cover page must be identical in style and content to Appendix B. **The cover page should not contain any mark that identifies the team, such as the university's or team members' names.**

**15.2** The Memorial should be composed as follow:

- a. A one-page summary stating the main arguments in brief
- b. Jurisdiction and Admissibility
- c. Arguments (Merits)
- d. Prayers

**15.3 Memorial should not exceed 4,000 words, including footnotes if these are used. It is not necessary to include a table of contents, which will, if included in the Memorial, form part of the overall 4,000-word count.**

It should be formatted as follows:

Spacing: Double spaced

Form: Typewritten

Margins: Top:2cm, Bottom:2cm, Left:2cm, Right:2cm



Format: Memorials should be submitted in Microsoft Word, not PDF

Font type: Arial

Font size: 12

**15.3 Failure to meet these requirements may lead to disqualification.**

**15.5 Submission of memorials**

One (1) copy of the memorials for each side (one for the Applicant and one for the Respondent) should be submitted to the organisers on or before **15 October 2022**. Memorials should be sent as attachments to an email message to the following address: [ilrajelmmcc@gmail.com](mailto:ilrajelmmcc@gmail.com).

**15.6 Any team which fails to submit an electronic copy of the memorials to reach the organisers on or before the 15 October 2022 deadline may be disqualified.**

15.7 Teams must also submit five (5) hard copies of each Memorial **separately** to the organisers through the Moot court Coordinator. The Moot Court coordinator can be reached at the following address:

**ILRAJ Headquarters  
12 Pademba Road  
Freetown**

Each team should have a compilation of the materials referred to in its memorials available during oral pleadings.

**15.8 Memorial marking** - Memorials will be marked by independent experts prior to the start of the preliminary rounds of the Competition. The Memorial is going for 30% of the total score.

**15.9 Best memorial** -The teams with the best memorials in the preliminary rounds based on the points indicated for the memorial presentation will be announced at the end of the Competition during the prize-giving ceremony.

**15.10 The use of opposing teams' memorials** As far as the Competition is concerned, no team will be allowed to view in advance or otherwise become privy to the memorials of any other team before these are made available to them at the start of each session.

**16 Oral Pleadings**

**16.1 General Procedure** - The order of pleadings will be as follows- applicant team, respondent team, rebuttal by applicant team.

16.2 All team members registered as an advocate must act as oralists during the preliminary rounds and final. No team will plead for longer than 30 minutes (including rebuttal) during the preliminary and 45 minutes in the final round. One oralist may not use more than 20 minutes during the preliminary round and 30 minutes during the final round. Rebuttal may not exceed 5 minutes. Only one team member appearing as an applicant has the opportunity for rebuttal. The time for rebuttal must be reserved in advance.



### **16.3 Ex Parte Proceedings**

Where a team fails to arrive or appear for a scheduled round, the Steering Committee should, after waiting for 15 minutes, may announce a new team against which the other team will argue or allow the round to proceed ex parte. In an ex parte proceeding, the attending team presents its oral pleading, which is scored by the judges. In such a case, the team that fails to arrive for the scheduled round will forfeit all the round's points. If good cause is shown, the Steering Committee may arrange an additional round for the absent team later during the Competition, if time permits. At its discretion, the Steering Committee may also decide that an ex parte session will take place where exceptional circumstances such as translation or technical difficulties require.

### **16.4 Scope of Pleadings**

The scope of a team's oral pleading is not limited to the scope of its Memorial. The scope of the Applicant's rebuttal is limited to the Respondent's oral pleadings.

### **16.5 Oral and Written Communication**

No oral or written communication may take place between tables and any spectator during a round.

### **16.6 Absence from the Courtroom**

No team member will be allowed to leave the Courtroom for the duration of the proceedings of a specific case in which he, she, or they are taking part.

### **16.7 Best Oralists**

The names of at least the top three oralists based on the points indicated for oral arguments on the score sheets will be announced at the end of the Competition during the prize-giving ceremony.

### **16.8 Oral Pleadings Marking**

Teams will be scored based on both their oral pleadings (35% of the team's total mark is allocated for each oralist's oral pleadings) and on their written memorials (which account for 30% of the team's total mark).

16.9 A fresh score sheet will be used in the final round following the stipulations above.

## **17 Confidentiality of Team Identity**

Each team will apply with a name and will be assigned a number at the start of the Competition and for the duration of the Competition, will be identified only by that number to ensure anonymity. The identity of teams participating during a specific session will not be divulged to the judges of any round before that session is completed.

## **18 Language**

Teams may present their memorials and oral pleadings in English. Other languages may also be accepted at the discretion of the steering committee. All communication from or to the organizers will be communicated in English.

## **19 Interpretation of Rules**

**19.1 Before the Moot Competition** -Prior to the Moot Competition, the rules will be interpreted by ILRAJ.



**19.2 During the Competition** - Any dispute that arises during the Competition that concerns the interpretation and application of these rules, or the general administration of the Competition, will be resolved by the Steering Committee. All decisions of the Steering Committee concerning questions of the interpretation and application of rules are final and dispositive.

19.3 The Steering Committee, in interpreting the official rules, may promulgate such other measures as may be deemed advisable for the orderly conduct of the Competition, provided that these measures do not violate the spirit of these official rules.

## **20 Clarification of the Problem**

20.1 Participants may submit written requests for clarification of points in the problem which are manifestly unclear and which must be clarified for the participants to develop their pleadings.

20.2 ILRAJ must receive requests for clarification prior to the commencement of the Competition. The onus is on each team to establish before the Competition whether there has been any such clarification or alteration.

## **21 Disqualification and Penalties**

**21.1 Procedure** -The Steering Committee can disqualify a team based on violations of these rules or the spirit of the Competition. It also has the power to impose penalties in the form of subtractions from the marks awarded, not exceeding 20 points for each violation. Judges may propose disqualification or penalties, but these measures will only take effect once endorsed by the Steering Committee.

**21.2** When the question of disqualification or penalties arises, the Steering Committee, on its motion or as a result of a team complaint, must ascertain the facts of the situation to determine whether an infraction has occurred. The team initiating the complaint must give timely notice to the Steering Committee and the accused team. If, on its motion, the Steering Committee investigates a possible violation, it must give timely notice to the accused team. The accused team will be allowed to reply to the complaint(s) made. Where judges intend to propose disqualification or the imposition of penalties, they must inform the teams accordingly and give them time to respond at the end of each particular round.

**21.3** Complaints pertaining specifically to oral pleadings must be submitted to the Steering Committee within one hour of the completion of the round in which the alleged violation occurred. Memorial and oral pleading penalty points will be assessed against the total score given by the judges to the penalized team in the particular session.

### **21.4 Grounds**

The Steering Committee may disqualify or impose a penalty against a team for behaviour that substantially prejudices the Competition, including, but not limited to the following:

- a. Late submission of prescribed memorials to the Steering Committee or failure to submit memorials;
- b. Failure to meet memorial length and form requirements;
- c. Communication between counsels' table and any person (other than judges) during the oral pleadings;
- d. Engaging in poor sportsmanship;
- e. Submitting petty, frivolous and verbose complaints;



- f. Submitting substantially ill-conceived requests for clarification of the problem;
- g. Revealing the identity of a team to the judges of a session before that session has taken place;
- h. Dishonesty or other serious breaches of the spirit of the Competition

## **22 Scoring**

Scoring must be done in accordance with the following documents:

- a. Instructions to judges: Appendix A
- b. Memorial cover page: Appendix B
- c. Memorial scoring sheet: Appendix C
- d. Oral pleadings scoring sheet: Appendix D

## **CONTACT**

### **Moot Court Competition**

**ILRAJ**

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