ALBA mooting competition 2019

Instructions to candidates

1. Entries must be from a team of 2 mooters.

2. The mooting competition will take the form of a 'speed' moot with three stages, as follows:

Stage one: paper sift

3. Teams are asked to submit a written application for permission to appeal, by the Claimant Mr Price, to the Supreme Court from the judgment of the Court of Appeal in *R (Hassett & Price) v Secretary of State for Justice* [2017] EWCA Civ 331. You should assume for present purposes that the Supreme Court has extended time for the application for permission to appeal while your instructing solicitors obtained legal aid.

4. The application should take the form of a stand-alone document of no more than 5 pages of 12-point type, at least 1.5 line spacing, containing the information required by parts 5 and 6 of Supreme Court Form 1. You are not required to submit the Form 1 or provide any of the other information required.

5. Applications should be submitted by email to Alison Pickup (a.pickup@publiclawproject.org.uk) by **5.00pm on 18 October 2019**.

6. Applications will be marked on the papers by members of the ALBA Committee who will draw up a shortlist of candidates for the mooting competition, and a reserve list.

7. Teams who enter the paper sift will be informed of the outcome by email by **1 November 2019**. We regret that we will not be able to provide feedback to candidates who are unsuccessful at this stage.

Stage two

8. Shortlisted teams will be invited to participate in the mooting competition, which will take place on **11 November 2019 at the Supreme Court from 5-7pm**.

9. Teams should come prepared to argue either side of the appeal in the Supreme Court. They should submit a short skeleton argument (no more than four sides of A4) for the Respondent by **5.00pm on 8 November 2019**; when presenting the case for the Appellant they should use their written application for permission to appeal submitted at stage 1.

10. The first round will be judged by a single member of the judging panel. Judge will flip a coin in order to decide who will argue which side. You will have 15 minutes to present the appeal, or to respond, as the case may be. Both members of the team should speak; teams may decide who will lead and who will follow on.

11. Shortlisted candidates will be provided with a link to a tabbed PDF of the authorities bundle and may not refer to any other case authorities. A list of the approved authorities is below. The judges will be provided with a copy of the authorities

bundles and candidates should bring their own copy for their use during the moot: they may use electronic or paper authorities bundles as they wish.

12. The winner of each moot will be decided by the Judge in their absolute discretion, who will also award a score out of 5 to each team for quality of written argument, oral advocacy presentation and style, legal analysis and response to judicial intervention. Judges will provide brief oral feedback to all teams, time allowing.

Stage three

13. The teams with the highest scores at stage 2 will compete in the final. For the final, teams will have 20 minutes to present the appeal to a panel of Judges.

14. The winning team will be selected in the absolute discretion of the Judges on the basis of the quality of written argument, oral advocacy presentation and style, legal analysis and response to judicial intervention.

15. The prizes are:

For the winning team: £1000
For the 2nd-placed team: £500
All finalists will be entitled to a free place at the ALBA summer conference 2020.

List of authorities for stage 2

(In addition to the judgment of the Court of Appeal in Hassett & Price)

R (Downs) v Secretary of State for Justice [2011] EWCA Civ 1422

R (Howard League for Penal Reform & Anor) v Lord Chancellor [2017] EWCA Civ 244 [2017] 4 W.L.R. 92

R (Mackay) v Secretary of State for Justice [2011] EWCA Civ 522

R (Osborn) v Parole Board [2014] AC 1115

R v SSHD ex p Doody [1994] 1 AC 531

R v SSHD ex p Duggan [1994] 3 All ER 277