

Mock Trial Competition 2024 Competition Rules

Team Registration

1. The Law Society of Western Australia's Mock Trial Competition (MTC) is open to all school aged secondary students in Western Australia who are in Years 10, 11 or 12.
2. Students are registered as a team by their facilitating teacher using the formal name of each student (names must match the student's SCSA enrolment records).
3. A student shall not be included in more than 1 team. Students are not permitted to change teams except in exceptional circumstances and with the express permission of the Mock Trial Coordinator.
4. Any changes to team registration and/or membership (Including requests for a student to swap teams) can only be made with the expression permission of the Mock Trial Coordinator. Requests for changes must be made in writing via email. The Mock Trial Coordinator may reject any application to change students in a team.
5. Only those students whose name appears on the original registration form, or who are accepted by the Mock Trial Coordinator pursuant to the above rule, may participate in the Competition.
6. A team must have at least 8 and no more than 15 students. Each mock trial team has 6 active roles: 2 barristers, an instructing solicitor, 2 witnesses, a Judge's Associate (D) or a Court Orderly (P) with the remaining students as reserves. Students can rotate the active roles between their team members or stay in the same roles across the rounds.
7. A school may enter more than 1 team up to a maximum of 5 teams. Schools seeking to register more than 5 teams must have first registered 5 teams with the maximum number of students and then request permission to register any additional teams from the Mock Trial Coordinator. Such requests will be considered after the registration period has ended and will be balanced against the need to ensure there is opportunity for students from other schools to participate within the parameters of resourcing constraints.

Student Attendance and WACE Accreditation

8. The Attendance Sheet (annexed to the Competition Manual) serves as the official WACE Endorsed Record and must be completed and signed by the teacher and given to the Mock Trial Coordinator for each team at each mock trial hearing.
9. All team members present, including reserves, must be listed on the Attendance Sheet together with the name of any coach who assisted the team for that round and any teachers attending the mock trial hearing.
10. The Attendance Sheet is the primary document used to evidence the attendance of students at the mock trial hearings. The eligibility of an individual student to WACE Accreditation arises from their attendance at individual mock trial hearings, not from their participation in any meetings to prepare for such hearings.
11. If a teacher needs to correct a mistake on their Attendance Sheet, this must be done in writing by way of an Amending Attendance Sheet completed and signed by the teacher and sent via email to the Mock Trial Coordinator (i.e. complete a new Attendance Sheet with the correct details and mark it as "Amending" with the current date).

12. If a student is unable to attend a hearing due to illness (and they require WACE Accreditation), the teacher should forward a medical certificate for that student to the Mock Trial Coordinator to satisfy the requirements for that student's WACE Accreditation. If the reason for the student's absence is due to another form of extraordinary event (e.g. a personal matter or family emergency), the teacher should instead cause a letter on school letterhead to that effect to be provided to the Mock Trial Coordinator as evidence of their non-attendance.

Conduct of the Mock Trial Hearings

13. If the trial does not commence within 15 minutes of the scheduled commencement time, the team responsible for the delay shall forfeit that round. A team must commence the trial if at least 4 of their team members are present. Reserves should attend each round to reduce the risk of a team forfeiting.
14. A trial shall take no longer than 2.5 hours to complete. Judges may at their own discretion deduct points if a team goes over time.
15. It is the role of the Court Orderly to sound a warning bell 1 minute prior to the end of each session of the trial.
16. Timekeepers may not use mobile phones, laptops or tablets for time keeping.
17. While it is generally expected that the mock trial hearings in the Competition shall be conducted in accordance with the Mock Trial Run Sheet (annexed to the Competition Manual), the conduct of each mock trial hearing is at the discretion of the individual mock trial judge (i.e. it is each individual mock trial judge how they wish to manage proceedings in their own court room having regard to the Mock Trial Run Sheet).
18. The mock trial hearings in the Competition shall be conducted in accordance with the Simplified Rules of Evidence (annexed to the Competition Manual) and any direction given to the student teams and/or mock trial judge within the Case Materials for any particular round.
19. Witnesses must not bring any documents into the witness box or refer to any written material they have prepared while giving evidence during the trial. If a witness forgets their evidence, it is the responsibility of the barrister to ask questions to prompt the witness.
20. No marks are to be awarded to a witness who reads their statement or looks at their written statement while they are in the witness box unless there are exceptional circumstances and the mock trial judge has given the witness permission to do so.
21. If a witness does not disclose all of the substantive content from their witness statement, the balance of their statement as per the Case Materials will be treated as though it was disclosed during the mock trial hearing. In the interests of time management, there is no need for the mock trial judge to read the statement into evidence.
22. The only documents that may be provided to a witness while they are in the witness box are documents that are to be exhibits in trial as per the Case Materials for that Round.
23. For each mock trial, there are 4 prescribed documents which must be completed by certain student roles and handed to the mock trial judge at the appropriate time.
24. These prescribed documents are all annexed to the Competition Manual and are:
 - a. Notice of Appearance,

- b. List of Objections
- c. List of Exhibits; and
- d. Timesheet.

- 25. Failure by a student team to complete a document correctly may impact the allocation of points as per the discretion of the mock trial judge for that hearing. Students should refer to the Mock Trial Run Sheet for more information about what is expected for individual roles.
- 26. Closing submissions are to be prepared solely by the barristers and instructing solicitor of each team. Those students must not refer or speak to anyone else during the adjournment in which they are to prepare their closings.
- 27. No coach, teacher or other spectator is permitted to prompt, coach or assist the students with the conduct of the mock trial at any time during a mock trial. Failure to comply may disqualify that team from Competition or impact the allocation of points for that hearing.
- 28. Teams are not permitted to relay information between court rooms relating to the progress of argument in other courts during the mock trial hearings. Team debriefs should occur after the hearings for the evening have concluded and court is vacated.
- 29. Unless they have the express permission of the Mock Trial Coordinator, students are only permitted to attend the mock trial hearing in which their registered team is participating in on that night (i.e. they must not attend an earlier trial in that round as observers).
- 30. All participants and persons attending the mock trial hearings are expected to act appropriately and respectfully and conduct themselves in a positive spirit. Failure to do so may result in a student or team being withdrawn from future rounds of the competition. Students are expected to respect the decisions of the mock trial judges even if they disagree with them. Students and teachers should refrain from approaching the volunteers acting in the role of mock trial judge until after the mock trial has concluded.
- 31. After trial has concluded, students and teachers may communicate or interact with the volunteer mock trial judge only if they are seeking further feedback, keep their interaction brief (to respect that the volunteer is in their personal time and has other commitments to return to) and keep their contact positive and in the spirit of the competition. Students are encouraged to thank the volunteers without whom the competition could not operate.

Judging Criteria and Scoring

- 32. The mock trial shall be judged using the criteria set out in the Scoresheet annexed to the Competition Manual.
- 33. The allocation of points is at the sole discretion of the mock trial judge.
- 34. The team with the highest points is the winner of that mock trial. No draws are allowed.
- 35. The decision of the Mock Trial Judge is final.

Competition Format and Points

- 36. The Competition is divided into two parts. The first part comprises the first three rounds of the competition (attendance at all three rounds enables students to attain Standard Level WACE Accreditation). The second part comprises the Finals Rounds (students with Standard Level WACE Accreditation who attend at least one finals round attain Advanced Level WACE Accreditation).

37. Competition points shall be allocated on the following basis:

- 3 points for a win
- 1 point for a loss
- 0 points for a team who forfeits
- 3 points to a team whose opponent forfeits

38. Upon the completion of the first three rounds, the 16 highest ranked teams progress to Round 4 (the Preliminary Finals). Upon the completion of the Preliminary Finals, the 4 highest ranked teams progress to Round 5 (the Semi-Finals). The winners of the Semi-Finals progress to Round 6 (the Grand Final). The fixtures for the Finals Rounds shall be arranged according to the diagram annexed to the Competition Manual.

39. Where there is a tie for a place based on competition points, those places shall be given to the team with the highest percentage calculated by dividing the number of points scored in trials for the team by the number of points scored in trials against the team.

Forfeits

40. A team intending to forfeit must notify the Mock Trial Coordinator by email at the first available opportunity. Team reserves must be used where possible.
41. A team will be required to forfeit if they fail to have at least 4 team members present within 15 minutes of the scheduled commencement time for that trial (i.e. ordinarily this will be 5:45pm).
42. Teams who are present and have their opposition team forfeit on the night shall, if possible, undertake a modified form of activity on the night which will allow them to demonstrate their preparation for the trial and provide an opportunity to obtain feedback. Examples of modified form of activity may be the partial presentation of the mock trial (depending on team members and reserves present) or a Q and A style workshop with a volunteer mock trial judge about case preparation etc).
43. For teams whose students require WACE Accreditation and who either forfeit or are forfeited against but not able to attend on their scheduled night, reasonable efforts will be made to facilitate those students participating in a form of modified activity on another date within the competition year (subject to resourcing constraints including venue and volunteer availability).

Use of Electronic Devices during the Mock Trials

44. Except in extraordinary circumstances and with the express permission of the Mock Trial Coordinator, students are not permitted to use electronic devices (other than a simple stopwatch or timer) during the mock trial hearings. This includes a mobile phone, laptop or tablet device.
45. Teachers should notify the Mock Trial Coordinator of any such circumstance as early in advance as possible prior to the commencement of the trial. If permission is given, the Mock Trial Coordinator will inform the mock trial judge of the relevant circumstances so that can be taken into account during the conduct of the mock trial proceedings.

Dealing with Allegations of Rule Breaches

46. If a teacher is concerned there has been a breach any of the Competition Rules, the alleged breach should be referred to the Mock Trial Coordinator at the earliest opportunity so the issue can be resolved or mitigated.

47. To the extent that is possible and appropriate, the Mock Trial Coordinator will take all reasonable efforts to ensure that the teachers for both teams are:
 - a. informed of any allegations;
 - b. the process by which it is proposed to resolve or mitigate the issue; and
 - c. the extent to which the mock trial judge is or should be involved.
48. If the issue causing concern relates to an event within the mock trial hearing (e.g. a witness taking a document into the stand), the barrister for the team is allowed (and is encouraged) to bring the matter to the judge's attention at an appropriate time in the proceedings (e.g. before the witness starts to give evidence).
49. If the Mock Trial Coordinator becomes aware of any serious breach of the Competition Rules, they may refer the breach to the relevant Manager of Education and Community Services at the Law Society of Western Australia.
50. The Manager will consider the breach and, if they elect to act, they may at their own discretion impose any one or more of the following penalties:
 - Team forfeiting that round
 - Forfeiture of some or all of the points scored by a team in a mock trial
 - Suspension or expulsion of a team member, teacher or coach from the Competition
 - A ban of a particular person responsible for the serious breach from attending mock trial hearings
 - Disqualification of a team from the competition.
51. The decision of the Manager shall be final and binding and communicated to the relevant teachers in writing.