

To learn about applying to become a member of the Moot Court Bench in Semester 2, please don't hesitate to come by our office located on Level 2 of the Law building or contact Dr. Vernon Nase at ECL 2.017.

These contact details are also available on the Murdoch Law School webpage:

www.law.murdoch.edu.au

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Message from Chief Justice Glen Williamson



Moot Court Bench at the 2008 Law Ball

Welcome to this edition of the Moot Court Bench newsletter. For those of you who are unfamiliar, I will answer the most common question we are asked-

What is the Moot Court Bench?

Moot Court Bench is a unique program run here at Murdoch by the Dean of Law, Gabriël Moens and overseen by Dr. Vernon Nase. Moot Court Bench is a body of students dedicated to promoting a mooting culture at Murdoch. We believe that mooting is one of the most effective tools for legal education, and that all students should be encouraged to participate.

To this end, the Murdoch Moot Court Bench is involved in such things as organising speakers to address the students on advocacy, running and judging internal and external mooting

competitions, drafting questions and manuals to help students understand mooting procedure and many other projects.

It has been a great semester for MCB so far and we have many great projects coming up. Earlier this semester we invited some high profile speakers to come to address students, including Justices Barker and Gilmour, and Malcolm McCusker, who was involved in the Andrew Mallard appeals.

Moot Court Bench is an elective unit and from personal experience I highly recommend it to anyone. There is a new intake every semester and places are limited. If you are interested in mooting then consider joining Moot Court Bench in Semester 2. See left for more information about applying.

MSLS and Deceptive Conduct: Freehills Demo Moot



On the 21st of February Freehills lawyers Katja Levy and Martin Goldblatt (pictured, above) staged a demonstration moot in the Freehills Electronic Moot Court. The 'facts' involved MSLS allegedly being involved in deceptive conduct under the Trade Practices Act.

The lawyers faced a distinguished bench of Justice Gilmour of the Federal Court and Justice Barker of the Supreme Court.

The presentation was informative, educative and entertaining and was well received by students, with Freehills Moot Court nearly reaching capacity.

Professor Moens and the Moot Court Bench are hoping to make this an annual event.

“The 'facts' involved MSLS allegedly being involved in misleading and deceptive conduct under the Trade Practices Act.”

Murdoch Hosts Maritime Moot Elliot Ryan

The International Maritime Law Arbitration Moot is a competition that involves a commercial shipping dispute that is to be resolved by arbitration. The problem is designed to incorporate issues of both arbitration law and substantive maritime law.

This year the Murdoch team is being coached by Tony Brennan, and consists of Elliot Ryan, Rachel Page, Glen Williamson, Vincent Holland and Isabella Skuthorp. We were allocated the Claimant, and were required to prepare a 40 page

written memorandum, due approximately 7 weeks after the problem was released.

Since submitting the written memorandum, the Murdoch team has been busy practising oral arguments to prepare for the oral rounds, which are being hosted by Murdoch between 27 June and 1 July 2008. This event is a great opportunity to witness some excellent displays of advocacy from students around the world. If you are interested in being a volunteer, please contact the team via email:

maritime.murdoch@gmail.com



Be A Law Student For A Day

Katie Batty



Photo: The Moot Court Bench

(left to right)

Samantha Lord, “Elliot Ryan”, Shu Ying, “Rohan Mabey”, Katie Batty, Nick Summers, Aoning Li, Glen Williamson, Watna Mori, Sarah Dunkley, Angharad Williams.

In front: Dean of Law, Professor Gabriël Moens.

Once again the Law School successfully ran its annual Be A Law Student for A Day on the 11th of May. The event attracted around 80 students from years 10 to 12.

The Moot Court Bench organised a Group Mooting Exercise, which concerned the fictional misbehaviour of various

members of the Moot Court Bench. The scenario centred around a ban on public drinking on Rottnest Island. Students were invited to judge as well as represent the defence and prosecution for the case. There were brutal arguments and ludicrous arguments but most importantly there was passion!

International Moot Information Seminar

Nick Summers

This semester Moot Court Bench held an information seminar on the opportunities for students to participate in one of the university’s mooting programs.

The coaches of the Willem C. Vis, Phillip Jessup, Manfred Lachs and Maritime Law moots outlined what will be required from their team members to apply

and to participate in a team for 2008/9. Positions for Maritime and Lachs will be available next semester - contact details for coaches are provided, right.



Dr. Nase
Manfred Lachs
Space Law Moot
V.Nase@murdoch.edu.au

Tony Brennan
International Maritime
Law Moot
a.brennan@murdoch.edu.au

Manfred Lachs Space Law Moot

Rohan Mabey

Throughout the semester Moot Court Bench have been supporting Murdoch's Manfred Lachs International Space Law Moot team. This year the team consisted of Danica Goodbody, Kylie Hocek, and James Day and was coached by Dr. Vernon Nase.

The 2008 Lachs Moot 'problem' featured a complex scenario involving a non-preemptible lease on a telecommunications satellite, an in-orbit

transfer of control over the satellite and a collision in outer space.

The Asia Pacific round of the Lachs Moot took place in April in Sydney. Murdoch's team did exceptionally well. They completed the general rounds undefeated, competed in the semi-finals and finished third overall. They also won the prestigious trophy for *Best Written Memorials* which is judged by an international panel. (pictured with the team, right.)



Guest Speakers Share Their Wisdom

Rohan Mabey

Each semester the Murdoch Moot Court Bench arranges a series of guest speakers, to share their knowledge with Murdoch Law students.

The first of the speakers this semester was Sarah Harrison, a dispute resolution partner at Mallesons Stephen Jaques. She spoke to the members of the Moot Court Bench about a range of topics, from her first appearance before a judge, as an articulated clerk, to the different and changing levels of formality required in the various jurisdictions within Australia.

On the 7th May Malcolm McCusker QC spoke to approximately sixty Murdoch students about his involvement in the Andrew Mallard appeals. Mr McCusker brought to the students a wealth of experience in advocacy and gave an enlightening view on what was one of the darkest pages in the history of Western Australian criminal law.

The Moot Court Bench has also arranged for a lecture to be presented by Greg McIntyre SC. Mr. McIntyre, who is a prominent human rights

lawyer, will be speaking to Murdoch students about his involvement in human rights litigation. This should prove to be a valuable opportunity, especially for those students studying *Human Rights in the Asia-Pacific Region* this semester.

The Moot Court Bench encourages all Murdoch law students to take advantage of the opportunity to hear from these guest speakers, who have generously given their time, both this semester and in the future.

The Phillip C. Jessup International Moot Watna Mori

A team of five Murdoch students participated in the famous Philip Jessup International Law Moot in 2008. This year's problem concerned the conflict between the fight against terrorism and Human Rights.

Claire Vinten, Nick Summers, Premila Ratnam, Tamara Watson and Watna Mori (pictured, center, with coach Katrin Giesen) spent seven months preparing for the prestigious competition. This included drafting two memorials and preparing for the oral stage of the Moot, which took place in Canberra from 29 January to 2

February. The preparation was intense and hard, but it was also very rewarding for the team and their coach.



After the Preliminary Rounds, in which they mooted against the University of Sydney and the University of New South Wales, the team made it to the Quarter Finals. Here, they were defeated by Queensland

University of Technology, which was ranked first after the Preliminary Rounds.

The team received the first prize for their Memorial for the Applicant, beating the two overall finalists. This is an excellent result for Murdoch University, the team members, and their coach.

Murdoch has only participated in Jessup twice, which the other teams appreciated by giving our team a standing ovation when they were awarded the Best Applicant Memorial prize at the High Court Awards Dinner.

Intersarsity Junior Moot: Which Law School Will Gain Ultimate Glory? Sarah Dunkley

One Monday, 18 August 2008, a hush will fall over the crowds as the representative champions take the stand to see which Law School reigns supreme.

This event will take place in the UWA Moot Court (Law: G.06) in the Law Courtyard. Be there

by 6.30 to not miss a nail-biting second.

Four Law Schools, four Junior Mooting Champions and one hell of a night; so come out to cheer on Murdoch's champ, Peter Sadler, and watch us cement our place as the greatest law school in history.



Willem C. Vis Moot Exhibition Moot

Shu Ying Wee



On the 28th February, Murdoch Law School conducted a Willem C. Vis Exhibition Moot in the Freehills Electronic Moot Court. The Murdoch team consisted of Craig Williams, Vanja Tekic, Kristian Maley, Andrew Kirk and Samantha D’Silva (pictured above with

coach Professor Gabriël Moens and assistant coach, Sam Luttrell).

Our team appeared for the Respondent, and mooted against Victoria University’s Kristy Haining and Katalina Toth, who appeared for the Claimant, via a video link.

We were privileged to have senior barrister Mr Tony Power, former Law Society President Ms Maria Saraceni, and former Executive Dean Professor Arnold Depickere on the Arbitration panel.

Although the results of the moot were never announced, the Murdoch team appeared to be more polished and better prepared. Around 70 students attended the exhibition moot.

Willem C. Vis Moot Team In Vienna

Shu Ying Wee

Following the Exhibition Moot, the Murdoch team led by our Dean and coach, Professor Gabriël Moens and assistant coach, Sam Luttrell, left for Vienna for the oral rounds which were held from 14th to 20th March.

The team won an award for Best Memorandum for the Respondent, and achieved an impressive final ranking of 19th among the 203 teams worldwide. The team proceeded to the Finals, but were defeated by the German team from

Buccerius University.

“[The team] achieved an impressive final ranking of 19th among the 203 teams worldwide”

The Murdoch team started preparations when the competition problem was first released in October 2007. The team underwent rigorous and intensive advocacy training under the direction and

mentorship of their coaches. This involved over thirty training moots, which were judged by members of the Perth legal profession and judiciary who gave up their valuable time to assist the team.

Overall, the whole experience was very rewarding and the team wishes to express their gratitude to everyone who assisted and supported them during their journey.



Moot Court Bench is delighted to announce Murcia Pestell Hillard (MPH) as its 2008 sponsor.

In addition to enabling us to improve the services already provided by Moot Court Bench, the money donated by MPH has allowed us to set up new events such as the Australian Legal System Junior Moot and a mentor programme including a mentor breakfast for the Junior Mooting Competition.

With our sponsor's support, we look forward to a successful 2008!



Thanks to a kind donation from Anchor Legal, MCB will soon launch its own website! It will include a mooting manual as well as updates on Moot Court Bench's various projects. Look out for details of our new website coming soon.....