

Mooting Cheatsheet: Oral Submissions

Oral submissions are your chance to persuade the judges of your arguments in person, and to allow them to ask any questions they may have about your arguments. Each speaker will typically have 20 mins to present oral submissions.

Do's

1. **Signpost.** Signposting means to give an indication of where your argument is headed before you make it. It's important to do this throughout the moot so your submissions are as clear as possible.
2. **Use formal language.** It is important to refer to the judge as 'Your Honour' and your opponents as 'my learned friends'. When making an argument, avoid colloquialisms such as 'I think' and 'kinda'. Rather, begin with 'We submit'.
3. **Maintain eye contact.** This is particularly important during appearances, your introduction and when answering questions from the bench. A good tip is to memorise your introduction so that you can give it without checking your notes.
4. **Keep it simple.** Overly complicated arguments can be difficult for judges to follow. Focus on clearly outlining the relevant issues and legal principles and explaining why your application of the rule to the facts is the correct and preferable approach.
5. **When appropriate and as respondent, respond to some of the arguments made by the appellant in their submissions.** However, it is important to remember that this response should be limited. The primary focus of your oral submissions should be extrapolating on the arguments made in your written submissions.

Don'ts

1. **Read your written submissions word for word.** The judges are already aware of your written submissions. Use this time to persuade them of your main arguments.
2. **Introduce surprise submissions.** You will be penalised for raising 'secret' or 'surprise' cases or legal arguments that you have not included in your written submissions.
3. **Rush.** Speak slowly and clearly so that judges have time to process the arguments you're making. It is much more persuasive to speak at a calm and measured pace. Speaking slowly will also give you the opportunity to modulate your voice enabling you to emphasise important points.

4. **As appellant, rebut arguments made by the respondent in their written submissions.** As the appellant, your task is to identify issues in the trial judgement, not your opponent's arguments. However, both appellants and respondents should read opposing written submissions and be prepared for questions about the conflicting areas between both sides.