

Bar Mock Trial Competition 2019/20

School's Guide



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Curriculum Links and Introduction

Age Range: 15 - 18

Curriculum References:

Citizenship Main Aims:

- Develop a sound knowledge and understanding of the role of law and the justice system in our society and how laws are shaped and enforced

Citizenship Key Stage 4:

- The legal system in the UK, different sources of law and how the law helps society deal with complex problems.

Cross Curricular Links:

- SMSC: Recognise legal boundaries and, in so doing, respect the civil and criminal law in England. Accept and engage with the fundamental British values of democracy, the rule of law, individual liberties and mutual respect.
- Language and Literacy: This lesson supports aims relating to spoken language, reading and writing and vocabulary development.
- English: Speak confidently and effectively including through using standard English confidently in a range of formal and informal contexts, including class discussion.
- Careers education: <https://www.tes.com/news/careers-education-are-you-meeting-new-guidelines>

Other Resources

- Case 1: R v Acosta
- Case 2: R v Wallace
- Role Guide: Barrister
- Role Guide: Court Clerk
- Role Guide: Juror
- Role Guide: Usher
- Role Guide: Witness

Introduction

Congratulations on applying and gaining a place at a Bar Mock Trial Competition Regional Heat! In doing so, you have taken the first step in providing your students with an educational experience they will never forget. The Bar Mock Trial Competition is a unique opportunity for students aged 15-18 from all over the UK to gain unparalleled insight into the justice system. The competition immerses students in all aspects of a criminal trial, as they take on the roles of barristers, witnesses, clerks, ushers and jury members. Students appear in real crown courts in front of real judges and are assisted in their preparations by professional barristers.

Throughout its 29 year history, the competition has supplemented traditional classroom learning by encouraging the development of important skills such as logical reasoning, clear communication and teamwork. We welcome students from all backgrounds and from all skill levels – there is no need to have any legal interest or debating experience in order to take part.

The Bar Mock Trial Competition is run by Young Citizens and supported by the Bar Council of England and Wales, the Faculty of Advocates, the Bar Library of Northern Ireland, HMCTS, the Circuits and the Inns of Court. as well as hundreds of legal professionals who volunteer their time to the competition.

Our aims

As well as helping to deliver key aspects of the Citizenship curriculum for key stage 4, the Bar Mock Trial Competition has three primary aims:

- Public legal education – The Bar Mock Trial Competition develops young people's understanding of the legal system, helping them to face legal problems with confidence.
- Introduction to the legal profession – Careers in the legal profession can seem inaccessible and alien to many young people. The Bar Mock Trial Competition gives young people direct contact with those involved in the administration of justice where they can learn about the careers of barristers, judges and court staff.
- Enrichment – The Bar Mock Trial Competition helps young people to develop skills and behaviours, such as communication, resilience and teamwork which will enable them to succeed in all aspects of their lives.

How the Competition Works

The competition has two stages: regional heats, which take place at Crown Court buildings across the UK (November) and a national final (March). Schools will be assigned to one regional heat where they will present opposing sides of specially written criminal cases in a live format against other schools over three rounds. The two highest scoring schools then proceed to the fourth round to determine the regional winner that will progress to the national final. The National Final will be held at the Old Bailey on the 21st March 2020.

Schools must present the prosecution and defence for case one and the prosecution or defence for case two. This will be determined by a draw that will be available at your regional heat (see example below). Schools should prepare the prosecution and defence of both cases because the draw is subject to change, and they will be expected to present the other side of case two if they proceed to the fourth round (where both schools that reach the final round have presented the same side, this will be decided by a coin toss).

Schools	Court	Schools	Court	Schools	Court
School A V School D	A	School B V School E	B	School C V School F	C

In this round, the schools compete against each other in a random combination, with schools A, C and B acting as prosecution and schools D, E and F acting as the defence. Each of these takes place within a different courtroom simultaneously (Court A, Court B and Court C).

In the next round, a different combination of schools will compete in either the same or a different courtroom than the one they were in before.

Number of students

A full team for the Bar Mock Trial Competition is made of 15 students. This is usually comprised of four barristers, four witnesses, a clerk, an usher and five jury members. However, for any one round, you only need to put forward 10 students: two barristers, two witnesses, either a clerk or usher and five jury members. This means the minimum team size is ten students. This does not include Court Artists and Court Reporters, of which each school is allowed two.

Age of students

Students must be in Years 10-13 in England and Wales and in Years 11-14 in Northern Ireland at the time of taking part in the regional heats in November. Any team that fields a student older than this without prior consent will be disqualified.

Independent learning

Students are expected to work independently and those who do will derive more benefit from the competition. We advise that each student is given both a School's Guide and the Role Guide specific to their role along with the two cases.

Preparation for the Competition

The first thing to do in preparing for the competition is to form a team. Ensure students understand what is required for their role (detailed information will be in the individual student guides that follow but an overview can be found on pages 4-6). Students should also be aware that they will need to be available to compete on a Saturday in November. You should have been informed of the exact date in your allocation email, but ask the Programmes Coordinator if you are not sure.

When deciding to form a team for the Bar Mock Trial Competition, you may have a rush of students interested or you may have to go out and recruit your team.

Possible ways to recruit for your team include:

- Generate publicity for the competition in your school. This can be achieved by putting posters up around the school, placing a notice in the school newsletter/bulletin, making an announcement in assembly, etc. Some teachers have suggested asking the previous year's mock trials teams to do a mock trial demonstration in assembly.
- If you have more applicants than places in the team, you could hold auditions for students for each role. Certain students may be more suitable for specific roles. Please see below under the heading 'Student suitability' for more details.
- Encourage students to participate to strengthen their skills for future employment, further/higher education and as an extra-curricular activity for UCAS applications.
- Your team should include a maximum of 15 students (plus 2 reserves), though there are 8 speaking roles so you may want to double-up in some areas.

Student Suitability

Once you have the requisite number of students to form a team, you should begin to allocate them certain roles. The full list of roles is:

- Barrister
- Witness
- Court Clerk
- Usher
- Jury Member

Some roles in the competition are more challenging than others. However, the competition is inclusive for students of all abilities. You could use this opportunity to introduce students who may have not been interested in the Law to the profession. The role of a barrister, for example, would suit students who are confident public speakers, who possess the ability to think on their feet and argue logically. This challenging role would particularly meet the needs of gifted and talented students.

Equally, students that are not as confident at public speaking, and might prefer a less demanding role, may be better suited to a role as a court clerk or usher. These roles involves less public speaking.

However, the competition can also be used to develop skills so encouraging some quieter students to take on the barrister role will help them articulate themselves and be heard. If you choose this route it will require more time to help students feel comfortable and confident with the content.

Overview of Roles

Barrister

In any trial, two students from your team will have to play the role of prosecution or defence barristers. The work must be shared equally, each barrister/advocate should deliver:

- A speech (opening or closing);
- An examination-in-chief of a friendly witness;
- A cross-examination of an opposition witness.

In any one trial round, two barristers from one school will be playing the prosecution and two barristers from another school will be playing the defence.

Role of Prosecution

It is the objective of the Prosecution to put the case to the jury on behalf of the Crown that the defendant committed the crime of which they are accused. They will therefore put forward witnesses who provide evidence that the defendant committed the crime.

Role of Defence

The Defence represents the defendant and must stick to their version of events. Their job is to undermine the prosecution's case and create reasonable doubt in the minds of the jury as to the defendant's guilt.

General rules for barristers include:

- The barristers must share the work equally between them;
- No objections can be made;
- There are no re-examinations of witnesses;
- Never give your opinion;
- Do not read from scripts or speak from a memorised script;
- Stick within the time limits;
- Do not introduce new evidence.

See the Role Guide: Barrister for more advice on playing the barrister.

The barrister is the most creative and challenging role in the Bar Mock Trial Competition. It will be their job to write and perform the opening and closing speeches and question the witnesses. To perform this role, the student must be prepared to speak publicly in a courtroom in front of an actual judge. They must also be capable of questioning both their friends and strangers in the witness box.

Witness

Each team has two witnesses in each case. The jury base their verdict on the evidence you give, so it is important that you know your version of events fully.

Before the trial

- Learn the content of your statement;
- Practice being questioned by the barristers. Be careful not to over-rehearse your examination-in-chief with them, so that it does not become a memorised script.

During the trial

- In a real trial, witnesses sit outside of the courtroom. For the purposes of the competition, you should sit inside the court for the whole trial;
- You will be called to the stand by the Barrister;
- The Usher will lead you to the witness box and announce you;
- Your team's barrister will ask you questions (examination-in-chief);
- One of the opposing team's advocates will ask you questions (cross-examination);
- The Usher will take you back to your seat.

Court Clerk

The Court Clerk is always part of the team playing the **prosecution**. The court clerk's role is to help with the administration of the court. For the purposes of the competition, the court clerk has been given some additional responsibilities to help balance their part with that of the usher/macer.

Before the trial

- Practice reading your parts in the order of procedure and the Section 9 statement;
- Complete the 'Team Identification Slip' and place it on the judge's bench;
- Find out where the jury retiring room will be.

During the trial

- Identify the defendant and read out the indictment;
- Swear in the jury;
- Read out the Section 9 statement when the prosecution request it, make sure you tell the court the details of the witness (name, occupation etc.) and don't just read the statement itself;
- Take the jury to their retiring room to decide their verdict and then bring them back into court.

After the trial

- Get the score sheet from the Judge, which should be in a sealed envelope. If it is not, give it back to the Judge and ask them to put it in one;
- Take the sealed score sheet to the Young Citizens representative.

The Court Clerk role is suitable for students who are capable of doing some public speaking, but would prefer not to take on the more demanding role of the barrister.

Usher

The Usher taken from the team playing the **defence**. Your role is to help with the administration of the court. For the purposes of the competition, the Usher's role has been slightly altered to balance their part with that of the court clerk.

Before the trial

- Learn the order of procedure and the affirmation;
- Make sure you know where all of the witnesses and the defendant are sat and where the witness box is;
- Once everyone is ready, go and collect the Judge.

During the trial

- Escort the witnesses and the defendant to the witness box and announce them to the court;
- If anyone disturbs the trial, for example if they are talking, their mobile phone rings or they are taking pictures, politely ask them to stop.

The Usher would suit students who are organised, attentive and confident enough to keep the trial on track.

Juror

The jury is made up of five students from a different school who do not watch their own school perform, except where this is unavoidable. Your role is to decide the verdict of the case based on the evidence you have heard in court on the day. Although your role is not scored, it is a vital part of the competition and should be taken seriously. Unless you are playing other roles, it is not a good idea for you to sit in rehearsals. This way, the cases are fresh to you on the day. It would be a good idea to complete practice jury exercises, so that you have had a go at deciding a verdict. In reality, the jury consists of twelve members of the public from the local area.

During the trial

- Stand up and repeat the affirmation when asked by the Court Clerk;
- Listen to the case and take notes (you can use the verdict worksheet if you wish);
- Go to the retiring room after the Judge's summing up (the Court Clerk will take you);
- Select a foreperson, who will give the verdict to the court;
- Decide your verdict. Preferably you should all agree but if that is not possible a majority will suffice. You only have five minutes to do this.

Barrister Mentors

Receiving a visit from a barrister can be a valuable exercise and a good way of introducing the work of barristers to your team. In England, Wales and Northern Ireland the lawyers who represent clients in court are generally barristers. In Scotland they are known as advocates.

A barrister mentor assisting your team is there to advise you on the law and court procedure. They can also advise you on terminology, court etiquette and legal concepts. They are not there to coach the team or prepare speeches. These are for the students to do themselves.

Once we have recruited a mentor and matched them with your school, we will ask them to contact you to arrange a suitable time to visit your school or, if this is not available, an alternative system of correspondence to help the students prepare. You could also try to reach out to your local community (ig. law firms, parents, chambers) and see whether any barrister or solicitor is willing to help your team. Please note that it is your responsibility to ensure that you follow your normal school safeguarding procedures for any mentor allocated to your team. Young Citizens do not perform DBS or background checks on any volunteers. As such, we are unable to take any responsibility for their conduct whilst mentoring your team but please do let us know immediately if you experience any difficulties or wish to request a different mentor, by getting in touch with the Programmes Coordinator.

If your school is not allocated a mentor, the Prorammes Coordinator will be able to offer you help and advice. Your barrister is welcome to attend the regional heat. Please advise us on your team list forms if they are attending. If you decide that you no longer need assistance please inform the Programmes Coordinator as soon as possible.

Rules

Each Bar Mock Trial Competition round is divided into nine parts, which are each scored out of 10. There is also a score out of 10 for the team as a whole. In total therefore, a team's score in any one round is out of a possible 100 points.

Some roles, for example the witnesses, usher and clerk are each scored out of 10. The Barristers are scored out of 10 for every speech and examination they make. As a pair of barristers will make two speeches and perform two examinations each, this makes a total score of 40.

The maximum point breakdown is therefore:

Opening speech: 10
Examination-in-chief 1: 10
Witness 1: 10
Examination-in-chief 2: 10
Witness 2: 10
Cross-examination 1: 10
Cross-examination 2: 10
Closing speech: 10
Court Clerk or Usher: 10
Team Score: 10
Total: 100

The criteria upon which the performances are judged is provided on the following page.

Point penalties

- **Introducing new evidence:** Students must not introduce new evidence (i.e. any information that is not contained in the witness statements). It is not fair to expect either a student playing a witness or a student playing a barrister to ask or be asked about things outside the scope of the witness statement. Students who introduce new evidence will be penalised.

The only time that new evidence can be introduced is if the evidence is a small detail which follows on logically from the evidence already provided. However, this detail cannot contradict anything else in the statement or change the statement in any material way. If it does so, the student will be judged to have introduced evidence and points will be deducted accordingly. This is at the judge's discretion and their decision is final.

- **Reading from a script:** As the competition values preparation, public speaking and quick thinking, script reading will result in deducted points. If the judges find that a student is reading a memorised or scripted speech, or following a heavily scripted line of questioning, they may deduct points accordingly. Notes are permitted however.

- **Going over time:** Each speech and examination is given a time limit in order to make sure the competition does not run over. If a student is judged to have gone over time, they may be deducted points. This is at the judge's discretion and they may allow limited time over if the speech or questioning is exceptional or necessary to adduce all the evidence. Witnesses cannot therefore ramble or delay in order to force the barristers to go over time.

Scoring Criteria

Opening speech

- a Clear and concise description of the case.
- b Confident presentation showing evidence of thorough learning of the facts

Examination-in-chief

- a Elicitation of the facts by short and simple questions
- b No leading questions asked
- c Clear and concise questioning (including clarity of speech)
- d Questions take account of answers received (spontaneity)

Cross-examination

- a Use of evidence raised in examination-in-chief
- b Elicitation of the facts by short and simple questions
- c Clear and concise questioning (including clarity of speech)
- d Exposure of contradictions and weaknesses of the other side
- e Questions take account of answers received (spontaneity)
- f Willingness to use witnesses' comments and not rely on prepared notes

Witnesses

- a Confident presentation showing evidence of thorough learning of the parts, events and witness statement
- b Spontaneous responses
- c Convincing testimony
- d Believable characteristics

Closing speech

- a Accurate summing up of the case (with mention of the burden of proof)
- b Weaknesses in the evidence highlighted
- c Confident presentation (without reading from a script)

Usher

- a All witnesses sworn in correctly (Holy Books are not used in the Competition)
- b Witnesses accompanied to and from witness stand
- c Court asked to rise at appropriate times
- d Deals with any disruptions

Court Clerk

- a Team identification slip filled in correctly and correct reading of indictment
- b Correctly identifies defendant/accused
- c Accurate reading of the Section 9 statements
- d Accurate swearing in of jury

Overall performance

- a Work well together as a team
- b Overall impression is that they understand what they are doing and that the trial flows well

The Regional Heat

Programme of the Day

9.15	Schools and guests to have arrived at court
9.35	Welcome speeches and housekeeping matters
9.45	Round 1: All schools present Case 1
10.55	Break
11.15	Round 2: All schools present Case 2
12.25	Lunch (not provided for schools at most heats unless otherwise advised)
13.15	Round 3: All schools present Case 1
14.25	Break and scoring Finalist schools announced
14.45	Final: Two finalist schools present Case 2
16.00	Announcement of national finalist and prize giving
16.15	Day ends

Before the competition

- All schools will be provided with the draw and jury rota at their heat. It is imperative that your students practice both sides of both cases, as the draw can change on the day at short notice following late withdrawals and other circumstances beyond our control.
- Team list forms and photo permission forms (where required) will be sent out before the heat, you must ensure that these are returned by the deadline. Failure to do so may result in your team being unable to compete, as these lists are requested by security at the court.
- The courts are closed to the public on the day of the competition and space in the courts is limited. However, we are aware that some parents and supporters may wish to attend. We must be provided with the names of supporters with the team list forms to ensure the court does not become overcrowded and so that we can provide court security with their details.
- Please ensure that you have made appropriate travel arrangements. You will be provided with details regarding parking at the court in advance of the event date. Please note that Young Citizens is unable to meet the costs of schools travelling to the competition.

On the day of the competition

- All students will need to be accompanied by a responsible and appropriate adult. A student who is over the age of 18 cannot take responsibility for their peers.
- Schools should arrive at court at the time allocated by the Project Coordinator. At larger heats the times are staggered to allow time for the schools to go through security checks.
- Please remind your students that the court is kind in allowing us to use their building for the purposes of the competition and that it is a working building. All rubbish must be cleared before the schools leave and the court must be left ready to resume normal business on the following Monday. Failure to do so may result in us being prevented from using the court in future.

- Teachers should be aware that there is no need to bring any forms that are referred to or given as examples in this guide. All forms that will be required will be provided on the day. For example, the court clerks team identification forms will already be in the court rooms on the clerk's desk.
- Once the teams are in the court room ready to start, the usher will collect the judge from their chambers and bring them into the court room. The trial will then begin.
- Schools will be issued with a programme on the day, which includes the timings, draw and jury rota.
- Please be aware that you will be unable to obtain copies of your score sheets on the day. Email the Programmes Administrator after the heat if you would like copies of these.

Additional Information

Waitlisted Schools

We understand that waitlisted schools are in a difficult position of having to put in all the hard work necessary to prepare for the competition, with no guarantee of competing on the day. We cannot tell when or where schools will drop out, but they do every year so your team may well get the opportunity to step in and save the day.

Waitlisted schools may wish to run their own school-wide mock trial competitions or be put in touch with other reserve schools in their area.

We appreciate that preparing for the Bar Mock Trial Competition takes time and effort. However, we do encourage reserve schools to prepare as much as possible so that in the event that a school does drop out in the final stages the reserve school is not left feeling unprepared. If we are unable to place you, or you withdraw from the wait list, you will receive a refund.

Organising a court visit

Visiting a local court is an excellent way for students and teachers to gain an insight into the layout of a court building and the workings of a trial. This will help participants to feel more relaxed on the day of the heat. Feedback from previous participants shows that many schools found a Crown Court visit very useful and interesting. Many courts will be more than happy to show you around and give your students playing the court clerk and usher some pointers. For information about courts near you please visit <https://courtribunalfinder.service.gov.uk/> (England and Wales) or <https://www.courtsni.gov.uk> (Northern Ireland). You could also contact the Diversity and Community Relations Judges (<https://www.judiciary.uk/you-and-the-judiciary/judiciary-within-the-community/diversity-and-community-relations-judiciary/>).

Withdrawing

If you are no longer able to participate in the competition, please inform the Programmes Coordinator as soon as possible.

Withdrawing from the heats has serious implications for the other schools in your heat. Placed schools that withdraw before 13th September 2019 will get their fee back (minus £15 administration fee). Teams that withdraw after this deadline, for whatever reason, will not receive a refund. For more information please refer to the terms and conditions of entry.

School's Monthly Schedule

Month	We will...	You will...
July/August	<p>Provide you with access to your cases and guides.</p> <p>Provide full details of your heat, including date and venue.</p>	<p>Begin to recruit your team of 10-15 students to play barristers, witnesses, the clerk, the usher and jury members.</p> <p>Distribute the cases and role guides to your team to prepare over the summer.</p>
September	<p>Match available barrister mentors to schools. Mentors will be given the email address you provided and asked to make contact.</p>	<p>Finalise team members, including court artist and court reporter if applicable.</p> <p>If you are unable to take part, withdraw before 13th September.</p>
October	<p>Check in with all schools to offer assistance and check progress.</p> <p>Send all schools team lists and photo permission forms which need to be completed.</p>	<p>Continue to prepare using your resources, your barrister mentor and the Young Citizens team to help.</p> <p>Make travel arrangements for your regional heat.</p>
November	<p>In the week before your heat, send you a reminder of the arrival details and the draw.</p>	<p>Final preparations with your team.</p> <p>Any changes in personnel to be made clear to Young Citizens team.</p> <p>Attend and compete at your Regional Heat.</p>

Month	We will...	You will...
December	Send all National Finalists information about the National Final, including date and venue.	Send in all Court Artist and/or Court Reporter Entries.
January/February	Send all National Finalists the case for the National Final. Send National Final photo permission and team list forms.	Start preparations for National Final. Complete and return forms for National Final, including dietary requirements.
March	Announce winners of Court Artist and Court Reporter Competitions.	Attend and compete at National Final.
April	Open applications for the 2020/2021 cycle!	Apply!

Please do get in touch if you have not received relevant correspondence from us, as it might be the case that the school's firewalls are blocking our emails.

Need more help?

If you are struggling with any of the case materials, unsure of how to start or simply want advice on how to pick your team, you can call to speak to a member of the Young Citizens team during any week day from 9.30am-5.30pm. You can also email BMT@youngcitizens.org and someone will get back to you as soon as they can.

How to avoid having to withdraw:

Every year a few schools are forced to withdraw from the competition due to team changes, unforeseen schedule clashes or other reasons. To help avoid this being your schools you can:

- Make sure to get help quickly from either your barrister mentor or a member of the Young Citizens team;
- Make sure your students know when they need to be free for practice and the Regional Heat;
- Ask members of your jury to prepare a role in a case they aren't watching to ensure you have reserves in required because a student withdraws.



Contact details for the Bar Mock Trials team:

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