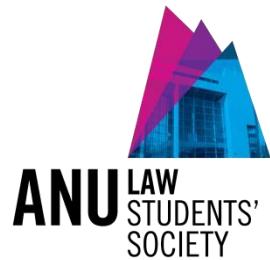

ANU Law Students' Society

External Competitions Policy



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Effective as of 1 February 2017

Preamble

This policy covers both the selection of competitors for external competitions and the subsidisation of their expenses by the ANU Law Students' Society. The policy applies to both external mooting and skills competitions as chosen by the ANU Law Students' Society Executive.

Accordingly:

Part 1: Selection process

1. Subject to clauses 1A, 1B and IC Applicants for external competitions will be selected by a Selection Panel. Subject to cl 7, the Selection Panel shall consist of at least three members chosen at the discretion of the Competitions VP. Selection Panel members must be one of:

- a. The Competitions VP,
- b. A Competitions Director,
- c. A student experienced with mooting or skills competitions, as deemed by the Competitions VP,
- d. An Executive of the ANU Law Students' Society, or
- e. A member of Faculty staff.

1A. If there are less than double the number of applicants as required competitors for any external competition, unless the Competitions VP decides otherwise, the Selection Panel need only consist of the Competitions VP and one other member subject to cl 1.

1B. Applicants for the ALSA Student Judge will be selected by the Competitions VP and the President. If a unanimous decision cannot be reached, a Selection Panel shall be constituted.

1C. Competitors for the ALSA Conference Competitions will be selected from the highest available ranked competitors in the ANU LSS Senior Competitions (Mooting, Witness Examination, Client Interview, and Negotiations). In the event of only similarly ranked competitors being available (eg. where the grand finalist competitors cannot attend and the semi-finalists competitors are available) the Competitions VP will select the competitor to attend the ALSA Conference Competition.

2. Applicants will be informed of the members of the Selection Panel prior to selection and given twenty-four (24) hours to object to Panel members on the basis of actual or apprehended bias before selection commences.

3. Actual bias on the part of a Panel member arises where he or she is applying to compete in the competition for which he or she is on the Selection Panel. In a case of actual bias, the relevant Panel member will recuse himself or herself.

4. Apprehended bias on the part of a Panel member arises where he or she appears unlikely to bring an impartial mind to considering and selecting applicants, or a certain applicant. Apprehended bias will not be satisfied simply because a Panel member knows or is friends with an Applicant.

- a. A petition of apprehended bias must, within three days of the Selection Panel being announced, be communicated in writing (including by email) to the Competitions VP and the President.
- b. The relevant Panel member will be invited to respond to the petition.

- c. The Competitions VP and the President will deliberate and come to a non-appealable decision on whether the Panel member should be recused.
5. In the event a Panel member is recused, the Competitions VP will appoint another Panel member who conforms to the requirements of cl 1. In the event the Competitions VP is recused, the ANU Law Students' Society Executive will appoint a Selection Panel under cl 1.

Part 2: Method of selection

6. Panel members will list their preferred applicants in descending order, with brief reasons, and may also indicate whether they believe that certain applicants are insufficiently qualified.

Selections will be based on the sum of the Panel members' rankings (eg: where there are 10 Applicants the highest ranked will have a rank of 10, second highest a rank of 9, etc. These ranks are then added together to form the sum of the Panel members' rankings).

- a. If there is a tie in rankings, the applicant preferred by a majority of the Panel shall be selected.
- b. If there is no majority, the applicant preferred by the Competitions VP shall be selected.

7. Where there are no or too few sufficiently qualified applicants, the Panel may exercise its discretion not to send a team to the competition. In making this decision, particular weight is to be given to the expense and prestige of the competition (eg: a team should not be sent to an international competition unless it is highly qualified).

8. Responsibility for collating and giving effect to the views of the Panel lies with the External Director, who is overseen by the Competitions VP.

9. A decision of the Selection Panel is not appealable unless there is evidence of procedural unfairness. A petition to this effect may be lodged in writing to the President, who will come to a final decision on the matter. a. The petition must be lodged within twenty-four (24) hours of the release of the Selection Panel's decisions.

Part 3: Selection criteria

10. The Selection Panel will give primary consideration to the following criteria subject to its hierarchy:

- a. Prior mooting or skills experience and results in international competitions;
- b. Prior mooting or skills experience and results in both ANU's internal competitions and external competitions;
- c. Academic results, both generally and in any topics relevant to the competition; and
- d. Availability during the preparation period for the competition.

11. The Selection Panel will give secondary consideration to the following criteria not subject to any hierarchy:

- a. Results and experience in other competitions, both legal and non-legal, with related skill sets;
- b. Contribution to the ANU Law Students' Society's competitions programs, including by judging, coaching and coordinating mooting and skills competitions;
- c. Any other relevant academic or work experience; and
- d. Any other experience relevant to skills of advocacy, teamwork, problem solving, research and analysis.

12. The Selection Panel must also consider the following:

- a. In order to ensure equality of access to external mooting and skills opportunities, where the applicant has competed previously in the same competition, this will weigh as a strong factor against his or her selection for that same competition again.
- b. For the Kirby Contracts Moot, preference will be given to undergraduate Applicants in their second and third year or JD Applicants in their first and second year, in view of its status as a novice training moot.
- c. A material misstatement, such as purposeful misrepresentation of grades or experience, by an applicant will disqualify his or her application.
- d. In order to represent ANU in a competition, an applicant must be enrolled in a law program at the university for at least part of the preparation period of the competition (dated from the release of the problem question). The Applicant must be a member of the ANU Law Students' Society.
- e. The team dynamic of the selected Applicants (including the allocation of Applicants in 'speaker' roles and 'researcher' roles).

Part 4: Subsidy policy

- 13.** The ANU Law Students' Society will subsidise external mooting and skills competition registration fees of competitions tendered for application. The ANU Law Students' Society may subsidise external mooting and skills competition accommodation and transport costs. Subsidies are to be determined by budgetary decisions of the ANU Law Students' Society Executive.
- 14.** The ANU Law Students' Society will support the applications of selected competitors to SEEF grants and other external funding sources that will assist in defraying the costs of accommodation and travel.
- 15.** At the discretion of the ANU Law Students' Society Executive, subsidies may apply both to competitors and to coaches. All competitors are to receive an equal subsidy.
- 16.** Ordinarily, competitors must incur expenses and present receipts to the Competitions VP before a subsidy is paid. The Competitions VP and Treasurer may decide to grant a subsidy before an expense has been incurred if extenuating circumstances exist and quotes have been provided.

Part 5: Obligations of competitors

- 17.** Competitors in external competitions must assist future teams by providing their competition materials, including problems, marking guidelines, rules, their own submissions, and the submissions of opposing teams, to the External Director and the Competitions VP.
- 18.** Each team sent to an external competition must also prepare a report of their experience at the competition, to be emailed to the Competitions VP and the External Director, within three weeks of the conclusion of the competition. The report must be no fewer than two pages in length, and must include:
 - a. A list of the names and contact details of each ANU representative, and, where applicable, their coach;
 - b. A brief description of the preparation that was undertaken (or that the team or competitor recommends should be undertaken in the future);
 - c. A description of the rounds and finals of the competition (even if the team or competitor did not reach the finals), and of the team's performance;
 - d. An opinion of the style of judging;
 - e. Any other advice that would be useful for future competitors.
- 19.** Competitors will remain available to be contacted by future teams, and where possible will assist them by providing advice on the competition and/or judging practice moots.
- 20.** Where possible, competitors will contribute to internal mooting and/or skills competitions, such as through judging, assisting with workshops, writing problem questions, or in any other manner.

Part 6: Removal of competitors

- 21.** The Competitions VP may, at their discretion, upon consultation with the Selection Panel, remove a competitor from a team if the competitor has engaged in conduct that is deemed to be sufficiently serious to warrant removal, including if:
 - a. The competitor is consistently absent from team meetings;
 - b. The competitor has engaged in serious misconduct or unsatisfactory conduct contrary to the Competitions Misconduct and Withdrawal Policy.
- 22.** A competitor who has been removed may, within twenty-four (24) hours of being notified of their removal, lodge an appeal to the Appeals Panel comprising of the President and the Competitions VP.

Part 7: Miscellaneous

- 23.** The Competitions VP and the President may amend this policy at any time prior to the acceptance of applications for any external competition.