

FOLEY'S LIST FIRST YEAR WITNESS EXAMINATION COMPETITION JUDGING GUIDELINES 2019

Timelines

1. Each competition goes for 1 hour, with an additional 15 minutes for judge's feedback (MAX):
 - a. 6.30pm Competition slot must finish **by 7.45pm**.
 - b. 7.30pm Competition slot must finish **by 8.45pm**.
 - c. Judges will judge 2 competitions per night. Please read both witness statements **before** the competition begins.
2. The break down and duration of the Witness Examination Competition is:
 - a. Appearances (10 secs)
 - b. Opening by Prosecution Counsel (2 mins)
 - c. Opening by Defence Counsel (2 min)
 - d. Examination in Chief (by the Prosecution) (10 mins)
 - e. Cross Examination (by the Defence) (11 mins)
 - f. Examination in Chief (by the Defence) (10 mins)
 - g. Cross Examination (by the Prosecution) (11 mins)
 - h. Summation by Prosecution Counsel (4 mins)
 - i. Summation by Defence Counsel (4 mins)
3. Judges should time segments. If competitors go overtime, they should be cut off and have **1 point deducted**.
4. Students **cannot** bring in any exhibits/props and all materials must be printed; no laptops are to be used. Only Barristers may write and take notes.
5. Witnesses may ask for permission to look at their printed witness statement.

Marking

6. Please do **not** focus on legal elements of the case being made – the primary aim of the competition is to judge the practical **techniques** of witness examination (Was the opening statement clear? Could you follow the barrister's case theory? Were barristers' questions strategic? etc.)
7. Students participating in the competition have not yet studied *Advocacy, Criminal Law or Evidence*; please do not hold competitors to high levels of legal accuracy.
8. There will never truly be proof *beyond reasonable doubt* in Witness Examination due to the nature of the facts. Please allow this leeway for the Prosecution and only judge competitors' advocacy skills. In saying this, Defence is encouraged to emphasise the existence of reasonable doubt.
9. Competitors are **not** allowed to make up facts that are not a foreseeable extension of the problem. A foreseeable extension is one that could reasonably be inferred.
10. Please provide the scoresheets at the end of your allocated night at the LSS office (Level 2).

Students Making Objections

11. Objections in Witness are: Relevance, Hearsay, Opinion, Prejudice and Leading Questions. If a competitor raises an objection, request the opposing barrister to defend their line of questioning before deciding to overrule or sustain it.