

2017 Bond University High School Mooting Competition

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Picture this: three young, naïve senior high school students from the small capital city of Darwin walk for the first time into Bond University's moot court to face off in an intense legal battle of civil liability in the tort of negligence (there's just really no way to make that sound exciting, is there?) against some of Australia's most prestigious private schools.

With our nerves high, our Senior Counsel gave appearances in front of the University's eminent Judges on the matter of *ZEDInsure v Bridget*. On that day we would represent the appellant, *ZEDInsure*, and their client, a young P-Plate driver – our age – named Marcus. Once opposing Counsel had done the same – two young ladies and one gentleman from a local private school in Queensland – we began to make our case. Having never really seen nor participated in a moot before, and not knowing how good our opposition were going to be, it was all, quite frankly, a bit of a stab in the dark. Of course, these eggshells on which we were walking were not at all eased by the expression, or complete lack thereof, on the Judges' faces. With nothing to gauge our success as we presented, we continued dubiously. Soon, though, the words of our case began to flow as we recited the very points we'd drafted, refined and rehearsed in the weeks of preparation for this very moment. Our inhibitions lowered, and we came into our own.

We knew all along that as the first and only school from the Northern Territory in the competition, we didn't have exactly have a bar to reach so much as we had one to set. We knew that we would be pitted against teams who had limitless resources at their disposal and who'd done this many times before. We *thought* we knew that we would inevitably be embarrassed by our competent opposition, whomever it may be. What we did not know, however,

was that the hours upon hours we'd spent preparing in the weeks prior to our moot would eventually pay off. We certainly had not anticipated that the time we spent completely re-structuring our arguments, even with the generous guidance and expertise of a number of NT professionals (to whom we are all eternally grateful), would take us to the National High School Mooting Finals, where we would have the opportunity to further refine and reiterate our arguments and present them once again, this time against one of just nine other finalists from around the country.

The 2017 Bond University High School Mooting Competition devastatingly confirmed suspicions we had deep down yet, as young students, wished not to be true; the law isn't all expensive suits and dramatic, quick-witted comebacks. While that was admittedly a little disappointing, our experience in poring over authorities, in analysing the legislation and trying to politely explain why our fictitious judges had entirely erred in their interpretation of the law all granted us with a different, more realistic view of what the law is about.

Special thanks to Lang Williamson, Bill Piper of Pipers Barristers and Solicitors, George Roussos of Roussos Legal Advisory, CDU Head of School Professor Ned Aughterson and Alistair Wyvill SC of William Forster Chambers, without whose generosity and knowledge we would still be stuck in Darwin High School's classroom googling the definition of contributory negligence. And of course, to our coaches, Ms Kira Goodsell and Ms Sam Schuman, who kept us focussed and were with us every step of the way – thank you.