

Achieving Graduate Capabilities Through an Online Mooting Module

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Abstract: Mooting is a simulated court hearing in which law students argue the legal merits of a fictitious case before a panel of mock judges. When the Control Movement Order (MCO) came into force in March 2020 due to the worldwide COVID-19 pandemic, a decision was made to conduct law modules fully online. However, there were concerns whether the Mooting module can be conducted fully online –and if yes, whether the module's learning outcomes could be achieved, and whether students could benefit from the module. This paper will deal with both questions and the author will be sharing his experience on how the module was carried out and how it benefitted his students. In response to the first question, as to whether the module can be conducted fully online, the findings show that the lectures and tutorials were all conducted online using pre-recorded lectures, online submission of tutorial exercises as well as 'live' briefing sessions for the students. As for the actual moot assessment, it was carried out online using the Zoom platform. With regard to the second question if students benefitted from it, the paper will show that all the learning outcomes of the module were achieved. As Malaysian courts were also carrying out online hearings, students were able to experience how a real lawyer conducts an online hearing. The students' feedback reveal that they found the module to be useful and that they have achieved to varying degrees, some of Taylor's Graduate Capabilities after taking this module. The conclusion is that the Mooting module can in fact be carried out fully online and that by doing so, the Module Learning Outcomes can still be met and the students can obtain maximum benefit.

Keywords: Moot, online, graduate capabilities

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Introduction

In March 2020, Dr Tedros Adhanom Ghebreyesus, WHO's Director-General, declared COVID-19 as a global pandemic. In Malaysia, a Movement Control Order ("MCO") came into effect on March 18, 2020 where everyone was directed to stay at home unless they were involved in essential services such as healthcare. For most universities, this meant that physical classes on campus had to be discontinued. Teaching would have to be carried out virtually or using online methods. However, the period of online classes could not be determined for sure, owing to the uncertainty of the pandemic situation.

Taylor's Law School offers Mooting as a compulsory module for its law programmes. The MCO directive to move the model to online posed a problem. How are students going to moot if they are not allowed to physically come together? Further, there were concerns whether the module objectives could be met and whether it will benefit the students if the module was conducted fully online.

At Taylor's University, every student is expected to achieve the Taylor's Graduate Capabilities (TGC) upon graduation. These are capabilities that encompass the knowledge, cognitive capabilities and soft skills of our graduates.

The TGC listed in the Bachelor of Laws programme guide are as follows:

1. Discipline-specific Knowledge – this refers to the ability to demonstrate professional competence, comprehend and adapt discipline specific knowledge, and be able to integrate knowledge across diverse perspectives
2. Problem Solving, Critical and Creative Thinking Skills – this refers to the ability to rationally, critically and creatively analyse, synthesise and evaluate evidence to arrive at a solution or conclusion
3. Communication Skills – this refers to the ability to create and deliver messages effectively, expressively and sensitively in appropriate contexts and specific to the discipline
4. Lifelong Learning – this refers to the ability to develop self-dispositions and skills with the aim of improving professional competence through self-directed learning, self-inquiry, self-assessment and self-reflection undertaken on an ongoing basis
5. Personal Competencies – this refers to the ability to be self-aware and to self-regulate emotions through skilful management of one's personal goals, intentions, responses and behaviour
6. Social Competencies – this refers to the ability to empathise with others, interact positively with them and foster stable and harmonious relationships
7. Entrepreneurialism – this refers to the ability to influence change by being proactive, resourceful and prudent in assuming risk

8. Global perspective – this refers to a person’s ability to demonstrate awareness of their own culture, cultural diversities, social responsibilities, global contexts and ethical values.

Thus, the teaching and learning approach at Taylor’s is focused on developing the Taylor’s Graduate Capabilities in its students. While these graduate capabilities are to be achieved upon completion of their study programme, students are expected to gradually develop and hone these capabilities through every module they take.

In light of the directive for all modules including the Mooting module to be conducted fully online, a valid concern that emerged was whether the students in this module are able to attain these capabilities satisfactorily. This posed a real problem as no one knew how long the pandemic will last, and when can physical face-to-face teaching resume in universities.

In this respect, the questions asked are as follows:

1. Can the Mooting module be offered fully online? This question focuses on whether it can be done or not.
2. If it is offered fully online, can Taylor’s Graduate Capabilities be achieved? Thus, the objective of this paper is to examine how a Mooting module can be conducted fully online effectively.

What is Mooting?

Definition and Description of Mooting

According to Oxford University Press, mooting refers to the “oral presentation of a legal issue or problem against an opposing counsel and before a judge. It is perhaps the closest experience that a law student can have whilst at university to appearing in court”. It has also been defined as a “...simulated appeal court hearing in which law students argue the legal merits of a fictitious civil or criminal case before a ... panel of mock judges,” (Pope & Hill, 2011 p.1).

From these definitions, it can be noted that mooting involves the following:

1. Oral presentation
2. Legal issue or problem
3. Opposing counsels
4. A judge/panel of judges

The first thing to note is that mooting involves an oral presentation of arguments. It cannot be done in writing only although in moot competitions, there may be a requirement for those participating in the moot to submit some form of written submissions. The arguments are with regard to a legal issue or problem and mooting will involve at least two teams where both teams will present arguments against each other. These legal arguments are then presented before a judge or a panel of judges.

Put simply, a moot is a simulated court hearing. However, it is not a mock trial (Ringel, 2004) as a trial will usually involve the calling and examination of witnesses as the tendering and marking of evidence as court exhibits. As Pope and Hill suggested, it is a simulation of an appeal court hearing.

This means that for a trial that has been completed, one party is appealing against the decision of the trial court. As it is an appeal and not a re-trial, it is usually on a point of law and as such, there is no more calling of witnesses or tendering of fresh evidence. Lawyers in an appeal court hearing will submit on the law based on the testimony of witnesses given and the evidences tendered in the trial.

Having said that, there are many moots these days that are not a simulation of an appeal court hearing. It can instead be a simulation of a hearing at an international court like the International Court of Justice or the International Criminal Court. It can also be a simulation of an arbitration proceeding. Basically, a moot is a simulation of any hearing where the lawyers submit their legal arguments before a judge, or a panel of judges based on a set of agreed facts.

Objectives of a Moot

The objective of a moot is to give law students an experience that comes closest to appearing in court. This is something that cannot be replicated in the traditional examination or coursework where law students are usually required to carry out an academic exercise, be it written or oral. In a moot, the law student takes on the role as a court lawyer and will have to prepare legal arguments based on a set of facts similar to how a court lawyer will have to do. The student will be given a side to represent, and legal arguments are made to support the case or to argue against it.

Court hearings are usually conducted physically as opposed to virtually. This means that lawyers and judges are normally required to be physically present in the courtroom during the hearing. There are some exceptions to this rule, which normally applies to minor hearings and case managements which can be conducted online.

As such, if a moot is a simulation of a court hearing, the law students who are mooting will need to be physically present in a moot courtroom with a judge or panel of judges to present their oral arguments.

Skills Required for Mooting

The skills required for mooting are the same as those required by a court lawyer. A mooter will need to do the necessary legal research to support the legal arguments. A mooter will also need to articulate the arguments clearly, succinctly and in a persuasive manner.

In the real courtroom, judges can and will interrupt the lawyers at any point of time in their submissions and ask the lawyers questions. The questions may be related to what the lawyer is submitting, or it can be on something else that is related to the case. In the same way, mooters will also be interrupted by the judges at any time during their submissions and be asked questions regarding their case. As such, one of the skills that is essential when it comes to mooting is the ability to think on one's feet. The mooter must be prepared to answer questions from the judges right away.

At the same time, a mooter will have to behave like a court lawyer, showing due respect to the judges and opposing mooters, and demonstrating the etiquette expected of an officer of the court.

Benefits and Importance of Moots

The benefits and the importance of participating in a moot has been recognised in recent years and mooting continues to be a popular co-curricular activity in any law school. Some law schools have also included it as a module that is offered, either as an elective or as a compulsory subject. This is because mooting is well recognised for equipping the law student with the necessary skills for legal practice.

Participating students specifically report enhanced skills in public speaking, critical thinking, and structuring arguments (Kammerer Jr., 2018). Further, students can gain practical skills in advocacy, research and writing, and analytical ability (Snape & Watt, 2004; Lynch, 1999). Mooting also helps students develop self-confidence, grow professional networks and enhance employability (Pope & Hill, 2011; Hernandez, 1998; Gaubatz, 1981).

The ability to conduct legal research and demonstrate a good understanding of the law as well as being able to apply it to a particular set of facts is something that every good lawyer should possess, irrespective of the lawyer being a litigator i.e. someone who appears in court to argue a case, or not.

Methodology

The paper will answer the questions raised earlier by looking at how the Mooting module is conducted by Taylor's Law School. Basically, this is an ethnographic study that employed a qualitative method to observe students' performance in a virtual environment. This method was selected as this was the first time that the Mooting module was conducted fully online and the experience gained can serve as a good starting point to determine if this can be done on a long-term basis. This method will also enable the researcher to observe how students deal with online mooting. This in turn will help in identifying any issues or problems that may arise unexpectedly.

Observation of the students doing the module can be conveniently carried out during the teaching of the module.

The author was the module leader for the Mooting module and as such, the author had personal first-hand experience in observing the Mooting module carried out fully online for the March 2020 semester. The author was able to observe the students deal with the challenges and obtain their feedback. As the students were also assessed in accordance with the same criteria that were used pre-pandemic, the students' performance can be used to determine if the module outcomes were met and TGC was achieved.

In this paper, the author will first explain and describe the methods used to conduct the classes and how the assessments were carried out virtually. Then the author will look at the effectiveness of the module using the following methods:

1. Making observations on how the students responded throughout the semester;
2. Looking at the results obtained by the students;
3. Examining the students' reflective essays that were submitted at the end of the module.

Based the results and their reflections, the author will conclude if the module objectives were met.

Literature Review

There are not many papers written regarding online moot because moots are rarely conducted online due to the reasons mentioned earlier. However, Yule et al. (2010) stated that mooting can be conducted online for off-campus students and inexperienced mooters. In their study, they evaluated three online platforms to determine their suitability in conducting moots.

However, their work did not refer to a Mooting module but instead on conducting mooting as a law school activity. The focus also appears to be more on the suitability of the online platforms examined. On the other hand, Ambaras Khan et al. (2020) looked at conducting Mooting as a module in a law school. However, their research was limited to a Mooting course conducted in a particular university whereby 70% of the studies was done through blended learning. The results of their research showed that the majority of the students support the idea of e-mooting (mooting conducted online).

While these two studies dealt with conducting mooting online, they did not specifically look at conducting a fully online Mooting module. Further, Ambaras Khan et al. (2020) did not examine if the outcomes of the module conducted online were met. There has also been no research to determine if a Mooting module can be carried out fully online and carried out effectively. As such, it is evident the need to determine if a Mooting module can be conducted fully online and still achieve its learning outcomes.

In this paper, the author looks at the Mooting module that is offered by Taylor's Law School to determine if it is possible for the module to be carried out fully online and if so, for the students to achieve TGC to a satisfactory level.

Mooting Module at Taylor's Law School

Mooting is a compulsory module for all students of the Bachelor of Laws programme offered by Taylor's Law School. Currently, it is a 4-credit module which students in their second year are required to take. In light of the COVID-19 outbreak in Malaysia beginning March 2020, the second-year students of the March 2020 semester took the Mooting module which was offered fully online.

The aim of the module is as follows:

“This module introduces the student to litigation by participating in a moot. They will learn how to prepare for a court case and present it as if they were the actual legal counsels. The module also seeks to inculcate within the students the autonomy of independent learning with the exposure to the necessary skills required for the preparation and participation in a moot”.

The learning outcomes for this module include the attainment of the following skills upon the successful completion of the course:

- (i) Apply knowledge and understanding acquired from the study of law in a variety of case situations in the mock trial utilising relevant judicial pronouncements and statutory provisions critically, analytically and in an innovative way to arrive at well supported solutions;
- (ii) Recognise legal issues that affect the area of law studies and develop technological skills to conduct efficient searches of information and knowledge from a variety of sources to address these legal issues;
- (iii) Recognise, analyse, synthesise and evaluate principles, rules, doctrines used in any particular area of law, to justify their existence and to place them in a ranking based on relevance and importance, reliability, validity and significance and offer a personal perspective to these issues to finally arrive at well supported conclusions;
- (iv) Initiate and manage independent and continuous self-learning of the law using technology based on areas already studied and not previously studied to evaluate individual progress in research, form judgments, exercise reflective practices which will result in a lifetime of personal and professional development in this area of law;
- (v) Communicate solutions to related legal problems both orally and in writing, clearly, coherently, credibly, accurately and effectively using standard software presentation techniques, English Language and the appropriate legal terminology to suit a variety of audiences;

- (vi) Develop personal and professional strategies to lead and work in teams and to integrate time and effort in a systematic manner in addressing legal issues with maximum results.

The module for one semester runs over 14 weeks (there are two semesters in a year). There are 7 lecture slots of 2 hours each and 5 tutorials of 1.5 hours each. They deal with the basics of mooting – what is a moot, how to prepare for a moot, how to write a Written Submission and how to prepare for the oral moot.

The Mooting module is a fully coursework module. There is no written examination at the end of the module. The students are required to complete three pieces of coursework:

1. Written Submission (40%);
2. Moot exercise (50%);
3. Reflection essay (10%).

The passing mark is 50%.

The moot problem is usually based on Contract Law or Tort Law. Students would have studied these two subjects in their first year. The moot problem will also usually be an appeal to the Court of Appeal.

Students are required to work in pairs. By drawing of lots, each pair will act for either the party appealing (the appellant) or the party responding to the appeal (the respondent). Each pair will prepare a Written Submission which is basically their legal argument in written form. Each appellant pair will then go up against the respondent pair in the moot exercise. Each student will be judged individually during the moot. After the moot, each student will prepare an individual written work where they are required to reflect on their experience in this module. The March 2020 Mooting module consisted of 66 students, comprising 18 males and 48 females. Although Taylor's University is situated in the Klang Valley, no students were allowed on campus during the March 2020 semester; thus, all students took the module remotely from their own homes all over Malaysia.

Can the Module be Conducted Fully Online?

When the decision was made to conduct all modules online as a result of the MCO that came into effect, the author was asked if it was possible to conduct the Mooting module fully online. After taking a look again at the module's learning outcomes, it seemed that they can all be achieved even if the module was carried out fully online.

It should be noted that normal lectures and tutorials conducted online were never a problem as Taylor's Law School observed one week of blended learning every semester. Thus, it would not be the first time that a Mooting module lecture or tutorial was conducted online. As for the assessments, there were also no issues with the Written Submissions and the Reflection as students will have to work on it in pairs or individually and submit it online just like all other written coursework.

However, with regard to the moot exercise, it proved to be more challenging. In practice, moots are conducted in an actual room where all those involved are physically present. This was because court hearings are conducted in that manner. Law schools which conduct mooting and international moot competitions will normally conduct their moots in the same way too. The question that rose was whether a moot can be conducted fully online, without the need for students and judges to be physically present in the same room at the same time.

In theory, this is possible. Using an online chat platform, students and judges can be present in the same virtual room at the same time. Students are then able to take on the role as lawyers and submit their legal arguments orally before the judges and the opposing team. Judges may at any time interrupt the submissions and question the students just like how judges in a real court do. As the students submit their arguments, the judges are not only able to hear the submissions but can also see the faces of the students.

Conducting moot exercises online is in fact a simulation of a court hearing. The only notable difference with an actual moot court hearing is that the students are not physically present in the same space but instead, will be seated in front of their computers elsewhere. As such, the decision was made to conduct the module online and the actual moot exercise to be carried out using one of the available online platforms, Microsoft Teams or Zoom. Subsequently, this decision was further justified when courts around the world started to conduct hearings online in view of the global pandemic.

For instance, the Judiciary of England and Wales issued a *Protocol Regarding Remote Hearings* on March 23, 2020 for civil cases. It acknowledged that the current pandemic necessitates the use of remote hearings wherever possible and that the Protocol seeks to provide basic guidance as to the conduct of remote hearings. Methods that can be used for the remote hearings include (non-exhaustively) BT conference call, Skype for Business, court video link, BT MeetMe, Zoom, ordinary telephone call, or any other communication method available to the participants which can be considered as appropriate.

In Australia, hearings have also been conducted online. In the *Special Measures n Response to COVID-19* (SMIN-1) issued by the Federal Court of Australia on March 31, 2020, it was stated that all hearings at the moment are currently proceeding using remote access technology. At that point of time, the methods used were Microsoft Teams and telephone conferencing.

Hearings have also been conducted remotely in Singapore. According to the Registrar's Circular No. 3 of 2020 dated March 27, 2020, effective April 1, 2020, selected hearings in the Supreme Court are to be conducted by video conferencing. In the *Guide on The Use Of Video Conferencing and Telephone Conferencing & Video Conferencing Rules for Hearings Before the Duty Registrar* issued by the Singapore Supreme Court on March

27, 2020, it was noted that hearings by video conferencing or telephone conferencing will generally be conducted on the Zoom platform.

In Malaysia, hearings were also conducted online. In mid-April 2020, The Chief Justice was reported to say that the judiciary was equipped to conduct online hearings of civil cases. Subsequently, on April 23, 2020, the Court of Appeal had its first online hearing where Skype for Business was the platform used and the hearing was streamed ‘live’ on YouTube. On July 30, 2020, the Chief Registrar of the Federal Court announced that the hearings at the Federal Courts and Court of Appeals will be conducted by the e-Appellate System. This system is basically a hearing where parties refer to soft copies of documents using Zoom.

These developments in the courts of Malaysia and all over the world reinforced the decision to carry out the Mooting module online. Remote hearings (or online hearings) in courts all over the world do not appear to be a temporal phenomenon. Even when the pandemic comes to an end, it is reasonably foreseeable that many hearings will still be conducted remotely/online. The benefits of remote hearings are plain to see — it reduces costs and time taken to travel to court. This is especially helpful in cases where the witnesses and parties are from out of town or even out of the country. It also helps reduce the carbon footprint. Further costs are saved by using soft copies of bundles of documents and bundles of authorities.

As such, students undergoing a mooting exercise online will get to experience how a real lawyer conducts an online remote hearing in practice. Therefore, if the actual court hearings can be conducted fully online, it is possible to conduct a moot, which is a simulation of a court hearing, online as well. Everything else associated with conducting a Mooting module can also be done online – such as lectures, tutorials and training.

Organising the Moot

Zoom as the Online Platform

The first decision that had to be made after deciding to conduct the Mooting module fully online was which online platform to use for the actual moot exercise. Lecturers and students at Taylor’s Law School used both Microsoft Teams and Zoom for online classes. The decision was then made to use Zoom.

Although there were some concerns about security — and that is probably the reason why the courts of certain jurisdictions were reluctant to use Zoom initially — Zoom was chosen over Teams as it is simpler to use. Students and judges only need the link and the password to join the online moot courtroom. Security was not as issue as both students and judges were strictly reminded not to share the Zoom link and password with anyone. The fact that the Malaysian Courts subsequently started to use Zoom for online hearings vindicated the choice to use Zoom for our moot.

Number of Courtrooms and Sessions

For the March 2020 semester, 66 students were enrolled in the Mooting module. Each moot usually involves four students (two acting for the appellants and two acting for the respondents). Since there are 66 students, for there to be four students in each moot, one team will have to moot twice (they get to keep their higher score). That means that there will be a total of 17 moot courtrooms.

The moot exercise was conducted on June 27, 2020 in two sessions – one in the morning and one after lunch. There were nine moot courts in the morning session and eight moot courts in the afternoon.

In order to have overall control over all the moot court rooms, the ‘breakout’ room function in Zoom will be used. This meant that all students and judges would be given the same link and password to join the session. Once in, they will be moved into breakout rooms for their respective moots. By using the breakout rooms, the author would be able to go into any particular room to address any rising issues or concerns.

Briefing for Students

Before the moot exercise, a Zoom session was held to brief the students. As all students have been using Zoom for tutorials in two other modules, they were familiar with the basics of the platform— how to join a Zoom session, how to turn on their audios and videos, and how to mute themselves. They also knew how to join and leave a breakout room.

The briefing session also reminded them to update their Zoom app, find a suitable place (where the internet connection is the best and the background is appropriate), and to join the Zoom session 30 minutes before the moot is scheduled to start.

Students were also briefed on clicking the ‘Ask For Help’ button in the breakout room should they require any assistance, be it technical or otherwise. When the button is clicked, the author will be able to see it and can join that particular breakout room to render assistance. Students were also allowed to contact the author via WhatsApp if they faced any problems.

Moot Judges

There are usually two judges assigned to each moot courtroom. One of them is a lawyer or was a court lawyer. He or she needs to judge the students based on what is expected of an actual court lawyer. A briefing video is recorded and sent to all of them together with the notes summarising the main points in the video recording.

The second judge in each moot courtroom is a staff member of Taylor’s Law School. As a member of the staff, they are well versed with Zoom and are able to oversee the smooth running of the moot in their respective breakout rooms. As such, the invited judges only need to have a very basic knowledge on how to use Zoom.

The Actual Moot Day

On the day of the moot exercise itself, all the students joined 30 minutes before their scheduled hearing. The reason why they had to join so early was to enable the author to do the necessary checks and to ensure the students rename themselves correctly — they have to indicate if they are representing the appellants or respondents, and whether they are the first speaker or the second. The author then tested each student's audio to ensure that it is working well, and that they can be heard clearly. Each student's video was also checked to ensure that their faces can be seen clearly. The author took the opportunity to make sure the students were all dressed appropriately, and that their background was suitable. After that, the students were sent to their respective breakout rooms to wait for the judges.

The judges were brought into the Zoom session after the students were sent to their breakout rooms. The same technical tests were conducted for the judges before being sent to their respective breakout rooms to start the moots.

Once the submissions by the students (mooters) were completed, they left the breakout rooms and returned to the main session. The judges remained in the breakout rooms to deliberate and score the mooters. Once that was completed, the mooters returned to their respective breakout rooms. The judges then gave the Mooters their feedback and ended the session. Mooters can opt to leave the meeting after that or re-join the main session to meet up with their classmates.

Problems Faced

There was a major problem which occurred just before the morning moot session started. For some unknown reason, the Zoom account that was being used — it was an account which was subscribed by the university—had changed into a 'free' account. This meant that the session would automatically end after 40 minutes. The author tried contacting the university's ICT Department to find out what happened, but they were perplexed as well.

Therefore, the author used his personal account and upgraded it to a paid account. Once that was done, the author created a fresh Zoom session and sent the link and password to all students and judges in the morning rounds. It was helpful that the author was able to communicate with all of them via WhatsApp. Due to the simple nature of Zoom, all this was done very quickly and the technical glitch that took place did not affect the afternoon rounds. Apart from this, there were no other technical issues.

Overall Results

In the end, all students passed the module with 13.64% of them obtaining A, 48.48% of them obtaining A-, 31.82% of them obtaining B+, 4.55% of them obtaining B and 1.52% of them obtaining B-.

Observations on the Running of the Module

The conduct of the module went smoothly. Lectures and tutorials were carried out online just like the other normal university modules using the Learning Management System of the university. Communication outside the lectures and tutorials were carried out through various methods, including but not limited to e-mails, WhatsApp messages and Facebook messenger.

Consultations were carried out using Zoom to help the students familiarise themselves with it. As stated earlier, briefings were conducted online and students took the opportunity to clarify any doubts. A workshop on Advocacy Skills was carried out before the moot by a legal practitioner to prepare the students for the moot exercise. This workshop was also conducted online using Zoom. The practitioner gave a short sharing on the topic and then the students were placed in small breakout rooms to prepare a short presentation on a mitigation hearing. All the students came back together and one representative from each group presented on behalf of the group. The practitioner then gave comments and feedback. It was observed that the workshop proceeded smoothly and the students interacted actively with the practitioner.

Based on the Written Submissions submitted by each moot team, it can be observed that the students understood what they were required to do. Similarly, based on their participation in the moot exercise too, the same observation can be made. They were able to use Zoom properly and were able to present their arguments in a manner that is expected of practitioners. The next section which will further elaborate on the students' performance in these assessments, will demonstrate that they have attained TGC to a certain extent.

Therefore, for the foregoing reasons, based on the observations of the author in conducting the Mooting module, it can be concluded that the module can in fact be carried out fully online.

Attainment of TGC as Evidenced by the Assessments

As stated earlier, TGC are capabilities that encompass the knowledge and cognitive capabilities as well as soft skills of our graduates and the teaching and learning approach at Taylor's strives to help its students develop these capabilities. The attainment of TGC are evidenced by the results of the module assessments as well as observed by the students themselves in their reflection assignment.

Most of the abilities mentioned above can be assessed by the Written Submissions and the moot exercise. Specifically, for 'Discipline-Specific Knowledge' (TGC 1), 'Problem Solving, Critical and Creative Thinking Skills' (TGC 2) and 'Communication Skills' (TGC 3). In these assessments, the students were required to demonstrate their knowledge of the specific area of law that is dealt with in the moot

problem. Their knowledge about preparing a Written Submission and submitting before a panel of judges in a legal courtroom were tested through these assessments. As these assessments are based on a moot problem, the students will have to address the problem creatively by devising arguments for the party they are representing. The students were also required to communicate their legal arguments in formal written form (for the Written Submissions) and in formal oral form (during the moot exercise).

As students in the Mooting module were expected to come up with the legal arguments themselves, they have achieved 'Lifelong Learning' (TGC 4) and 'Personal Competencies' (TGC 5) to a certain extent. Further, 'Entrepreneurialism' (TGC 7) is also attained as they demonstrated how proactive and resourceful they can be.

As the students were required to work in pairs and they mooted against another team, 'Social Competencies' (TGC 6) was assessed too. Finally, 'Global Competencies' (TGC 8), was demonstrated to a certain extent when the students presented a good understanding of the social responsibility of a practising lawyer and behaved in accordance to the legal etiquette requirements. As all the students passed the module with over 60% of them scoring A or A-, this can be deemed as evidence that the students have acquired the specific TGC to the level expected of a Year 2 student.

Attainment of TGC as Recognised by the Students

As stated earlier too, the students were required to do a reflection essay after the moot exercise and talk about their experience in the Mooting module as well as identify elements of TGC that they felt they have acquired to a certain degree. It was pleasing to note that every student reflected that they have attained some of the TGC.

It is no surprise that all of the students in their reflection essay said that they have attained TGC 4 which is 'Lifelong Learning'. The students acknowledged that the skills developed in the Mooting module is part of the lifelong learning as they had to prepare their legal arguments on their own and present it in a manner that they saw best.

Similarly, 72.3% of the students indicated in their reflection essay that they had achieved 'Personal Competencies' (TGC 5). Having to work on their own, they were able to manage their behaviour and personal goals and complete the module successfully.

A large number of students also admitted that they achieved TGC 2 which is 'Problem Solving, Critical and Creative Thinking Skills'. A total of 89.4% of the students felt they attained this skill as the moot itself required them to think critically and solve the problem presented to them in a creative manner.

Two other aspects of TGC that the students felt they had achieved were TGC 6 and TGC 3. For both aspects, 87.9% of the students stated in their reflection essay that they believed they have attained it.

The students also noted that working in pairs helped them develop TGC 6, which refers to ‘Social Competencies’. Many shared in their reflection essay that they also worked closely with other students in the same module and helped each other in the moot practices and preparation. They appreciated the positive interactions and harmonious relationships fostered throughout the module.

Further, by working in pairs, the students had to be able to communicate well, which helped them achieve TGC 3, that is, ‘Communication Skills’. As physical interaction was not possible due to quarantines and social distancing measures, they had to rely on technology to communicate well with each other. Some students also highlighted that they had to communicate their legal arguments well to the judges in both the moot exercise as well as in their Written Submissions.

Table 1. Summary of self-assessment of TGC attainment

TGC	Percentage of students who indicated they achieved the TGC
1	51.5%
2	89.4%
3	87.9%
4	100%
5	72.3%
6	87.9%
7	none
8	24.2%

In their reflection, all the students admitted that the module was very helpful. While some contended that they were disappointed for not being able to moot in a physical moot court setting, they felt that the online exercise was just as beneficial and gave them a taste of the actual practice.

Some of the comments from the students’ reflection essays:

“At the end of the day, my moot journey was indeed an eye-opening experience for me as it brought me closer to the realities of the practice of law and I am truly grateful be given an opportunity to be part of it.”

“The mooting module has definitely helped me grow tremendously as a law student. ... When I first stepped into law school, I would not have been able to imagine myself doing something close to litigation as I have the fear of speaking in front of a crowd but I am glad that the university has pushed me to step out of my comfort zone as without the requirement to do this module, I would have never been able to step out of it.”

“Mooting ... was an absolutely splendid experience. We learnt so much about the law and even more so about ourselves. If I may dare say so, mooting is the best activity one can participate in during university.”

“Overall, I find mooting for the first time nerve-racking to say the least. However now that I have triumphed the very first hurdle in advocacy as a law student, I oddly find mooting far from intimidating, but in fact intellectually rewarding to see how every hard work sowed in the gruelling process would eventually lead to fruition despite the outcome. Again wholeheartedly, I thank Taylors’ Law School and all lecturers for this invaluable encounter to which I am beyond blessed; as mooting had shook me up from my slumber in complacency and sparked in me a genuine interest for specializing in litigation in my future legal profession to come.”

“Overall, mooting was a delightful experience and moreover, a highly beneficial one to a law student, especially if one is pursuing a legal degree. It not only tested an array of skills, such as one’s ability to critically analyse, gain insight, understand multiple perspectives, and research and extract relevant information, but it also tested one’s ability beyond a written submission when it came to the oral mooting. It gave me a boost of confidence in public speaking, and the ability to fully digest what could be expected from you not only as a law student, but as a future employee.”

“The mooting module has met my expectations even through virtual studies, and I am extremely happy with how the module was taught throughout the semester. It is undoubtedly the most fun and useful module I have taken so far.”

Conclusion

Mooting as a module in university can certainly be conducted fully online. As described earlier, the module was conducted fully online without any major issues. This certainly confirms that a Mooting module can certainly be carried out online. It is also proven that Zoom is a suitable platform and it comes as no surprise that some courts around the world are using it instead of investing time, effort and resources to create a new platform. Further, based on the results of the students, the learning objectives of the module can also be met, and the TGC can be achieved. From the reflections, students themselves testified that a Mooting module is certainly useful and effective in preparing them for legal practice in the future.

As such, it is recommended that the Mooting module should continue to be offered even if the classes and the moot exercise have to be shifted to the online mode. Further, there are many suitable and reliable online platforms that can be used to carry out the moot exercise.

Given that actual courts themselves are now conducting remote online hearings in an effective manner, online hearings can be carried out even after the pandemic comes to an end. Further, it is a well-accepted fact today that lawyers need not be physically present in the courtroom to conduct hearings effectively.

While the content of a lawyer's arguments is generally the same whether the hearing is held online or physically in a courtroom, there are clearly specific skills that are needed if the hearing is conducted online. It will be a shame if the content of a lawyer's arguments cannot be conveyed effectively due to the lawyer's inability to conduct the hearing online. Therefore, by participating in online moot exercises, law students were able to get a good grasp of what court lawyers have to do in actual practice. This will certainly prepare and equip them to effectively apply the same skills in their future practice.

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