

**KAREN FOLEY:** Yeah, no, no. I need to make an order. Yeah. OK. So, 86 pepperoni, cheese, tomato pizzas. Sorry, hi. Welcome back. Well, this session is something we've all been looking forward to. It's our moot. OK? And I'm finally going to find out what hats have got to do with it. So welcome, Gwen and Sophia, to the studio.

Now I'm very excited about this. We've been looking forward to it all day. I have asked pretty much every academic from the Open University Law School what moots have got to do with hats. And I have not been able to get a categorical answer. That said, I haven't been able to get a categorical answer about very much. It seems that there are lots of complexities involved with various things. So you have come from the Open University Law Society. And we're going to have a moot. I'm really excited.

**GWEN:** Yes, that's right. Yes. Yes. And in terms of what moots have got to do with hats, well, it's all to do with the interpretation of a law on hats, which a lot of people don't know exists.

**KAREN FOLEY:** OK. So Mohan says that his mum used to put him through moots. So he's-- when he was younger-- so he's going to be very familiar with this whole idea about arguing about hats.

**GWEN:** Not necessarily. Because moots aren't all about hats. But the moot that we're going to do tonight is based around a law on hats. So that's the connection, really.

**KAREN FOLEY:** OK. So some people tell me that mooting is fun, which I hope it is, and you two do it. So how does this work then with the Open University Law Society? You go around mooting, do you, with other teams?

**GWEN:** Yes, that's right. We act as a body to help encourage bringing students together in this activity. I think it's probably worth saying a little bit about what a moot is about, really, because it's not something that-- sometimes it's a word that people are familiar with, but they don't necessarily know for sure what it means.

I mean, the word moot comes from Greek, which just means meet.

**KAREN FOLEY:** Meet?

**GWEN:** Yeah. A meeting. It just means a meeting of people together.

**KAREN FOLEY:** We have to clarify because we had an issue with bikinis, burkinis. So we're talking meat in the non-food sense here.

**GWEN:** Yes, indeed. Yes. Yes. Yes. No Lady Gaga type objects or anything like that. But no, it just means meet, a meeting of people coming together. And then that was then used to talk about the ancient courts, et cetera. And it's now used to describe an academic exercise relating to arguing a particular case. It's there to enable students to practise their advocacy skills, to be able to represent a particular cause or a particular case.

It's not the same as a mock trial. Some people think, oh, it's like a mock trial, isn't it, where maybe people get together and have witnesses and examine witnesses and find somebody's either guilty or not guilty. A moot is one level above that.

Imagine the trial has already taken place. A decision has been made. And now it's going to appeal. Somebody on the losing side of that decision wasn't happy about the decision. And they want to appeal that decision. But the only thing that they're allowed to appeal that decision on is points of law. They want to be able to say that this case was wrongly decided because they didn't take into consideration this particular statute or this particular case that had previously been decided.

And that's what a moot is all about. It's all about being able to argue either for the person appealing or for the person responding to the appeal, using existing case law that's already out there to illustrate their points, to say it should have been decided this way because of this Supreme Court case that means everything else needs to be decided in a similar way.

**KAREN FOLEY:** OK. So is it fun then, Sophia?

**SOPHIA:** It is fun. And can be quite nerve wracking.

**KAREN FOLEY:** I bet.

**SOPHIA:** You've got to do your preparations, make sure you're ready. And if you're good on your feet, you'll be fine.

**KAREN FOLEY:** But it's not just about being good. It's about luck. Because I hear you brought your lucky lectern, Lexi.

**GWEN:** I did. Yes.

**KAREN FOLEY:** So I don't think we've got any drum rolls. Let's see the lectern.

**GWEN:** Here is Lexi.

[DRUM ROLL]

As you can see, if you can see a close up, a little OU symbol there.

**KAREN FOLEY:** Is that it?

**GWEN:** Um. Uh. Yeah. I don't know--

**KAREN FOLEY:** You told me-- no, no, no. I've got this in writing. You told me that this was a lucky lectern. It had been made from an oak tree. And that you had won some very prestigious-- and this is it. And you take this around.

**GWEN:** We take this around, yes. This was originally fashioned from an oak tree that was in the garden of one of the students who I was initially coaching with mooting. And we decided that we needed something to practise with. So the next time we came together, he'd actually knocked this sort of Flintstone style thing together.

And we've used it actually in some live moots where they've not had a lectern present. And we brought our own lectern. And said, that's all right, we've got this. And normally, you plonk it on a table and away you go. But obviously, if we haven't got a table or something then it's not quite so useful. So I'm not quite sure what you're going to do.

**KAREN FOLEY:** Well, yeah.

**GWEN:** Is that in the way? Should I--

**KAREN FOLEY:** Yeah, it is. It is nice. But you can see, we're very, very glamorous here. And I actually think we should get you something a bit bigger, a bit grander but taller.

**GWEN:** Is that something you can manage?

**KAREN FOLEY:** Oh, yeah, sure. I can call the estates. Hello, yes. I need a lectern please. Yeah. Uh, yeah. Yes, a very large tall one, very grand. Open University, please. Chop, chop. Right. That'll be here in a couple of minutes.

**GWEN:** Chop, chop, literally.

**KAREN FOLEY:** Oh, yeah.

[WOODWORKING SOUNDS]

**STAGE WORKER:** Someone order a lectern?

**KAREN FOLEY:** Thank you very much. Marvellous. There you are. See? It's not that hard.

**GWEN:** Well, there we go.

**KAREN FOLEY:** OK. I think we're all ready to moot.

**GWEN:** Yeah. OK. Well, why not?

**KAREN FOLEY:** Should we see what's happening on the hot deck, Sophie and Kristen? Looking very splendid in your hats.

**SOPHIE:** Thank you. Thought I'd put my formal hat on for this round.

**KAREN FOLEY:** Yes. No, exactly. It's all about procedure.

**SOPHIE:** Of course. And we have had a hat selfie in from Davin as well on Twitter. Thank you very much. I just retweeted that one. And the conversation has sort of now gone into dinner, I think. Everyone's getting a little bit hungry. But we have got some really good questions, actually. I do have one--

**KAREN FOLEY:** About the meat question.

**SOPHIE:** Yes. Well, we do have one from Shirren, who has asked whether you consider online workshops and moots for those who are unable to attend the traditional ones? So we have quite a few people who can't attend for ill health or because there's quite a few that are actually abroad. We've got some people in Canada or in America. So do you have any sort of online workshops, or do you know of any maybe that you could direct me to at all, or--

**KAREN FOLEY:** Yeah, do you do online mooting?

**SOPHIA:** Not as of yet. But funnily enough, that comes up. We were just talking with a lady out in the corridor there who said that the platform should soon be available. So watch this space. Keep

your eye on the updates on the website.

**KAREN FOLEY:** Now, how do people connect with the Open University Law Society? Have you got email?

**SOPHIA:** Yes. We've got email addresses. We've got our own website, Facebook, Twitter. Everything is available online. Just get in touch and we'll be there to help you.

**KAREN FOLEY:** Excellent. All right. And we'll put those links up in the chat for you so that you can connect with the Law Society if you would like to. Right. So for this moot, we need to outline the case first, don't we?

**GWEN:** We do, indeed. And this is the whole hat-related thing. So, as I said, you remember that I spent some time in the clink earlier on today. There was a bit of a misunderstanding about headwear. And Section One of the Inappropriate Hats Act states that a person who wears a hat when the conditions are unsuitable shall be guilty of an offence.

**KAREN FOLEY:** I need those two. I'm really sorry. They're so important in terms of feeding the chat.

**SOPHIE:** We have quite an important job, you know. Discuss food, make people hungry, wear the hats.

**KAREN FOLEY:** Kristen, you don't need to comply.

**GWEN:** It's arguable whether or not this only applies to being in a public place. But I wouldn't worry, necessarily, because they have to show that the use of the hat was actually unreasonable. Now I would actually say that that hat that you're currently wearing is quite an appropriate use of a hat. It's all down to whether or not-- you see, this is the whole point. And this is great for a moot.

When you've got a particular law that's perhaps a little bit ambiguous-- what does it actually mean, when the conditions are unsuitable? What you need is case law that refines that. It provides a little bit more illustration. So when cases go to court and they get reported, they set a binding precedent that other cases then have to follow. So we've got a few other cases here. That will give us a little bit more of a framework, if you like, that will actually tell us what may or may not be inappropriate.

So first of all, let's talk about our case here that we're going to argue. It's the case of John. Now John was found guilty of wearing a hat in unsuitable conditions. John was arrested for wearing a ski hat with ear covers.

**KAREN FOLEY:** I could see why.

**GWEN:** Yeah. So he was arrested for wearing a ski hat with ear covers on Weymouth beach in August. Johnny's bald, as well. That's all the facts we have about John.

The next case is one that was decided previously, which is the case of Adam. Now Adam was found guilty of the crime when wearing a black ski hat in July. Now, the principle that was established in that case was that-- it was a long established principle that an offence was committed by wearing a woollen hat when the temperature was above 20 degrees C, as it would be regarded as unsuitable conditions. So that's Adam's case.

The next case we need to look at is Basil's case. Now Basil, who is bald, was found not guilty of the crime when wearing a cream coloured straw hat-- we're going to run out of room on the table, aren't we-- in June.

**KAREN FOLEY:** I can rearrange them. See?

**GWEN:** So, yes, cream coloured straw hat in June. Now the principle there was that protection from the sun amounted to the use of a hat in suitable conditions. And therefore, it did not infringe the law.

And then finally, we've got Callum. Now Callum's case was that he was found not guilty of the crime when wearing a ski hat with a houndstooth pattern in May on a day of variable temperatures.

**KAREN FOLEY:** Some people say the pattern alone is just a crime.

**GWEN:** I wouldn't argue with that. I wouldn't argue with that. It looks like somebody's actually-- I'm sure there's a Volkswagen Golf somewhere with a hat-shaped hole cut out of the seat. Why I like to mention car--

**KAREN FOLEY:** No, you're not. We'll get in trouble.

**GWEN:** OK. I'm going to end up in the clink again at this rate, aren't I?

**KAREN FOLEY:** Oh, yeah. You slightly are. It took a lot to get you out of there, hours and hours. I can't believe--

**GWEN:** Exactly, yeah. I'm very grateful to the--

**KAREN FOLEY:** Actually, we've got HJ in there now. Oh, dear. He doesn't look very happy, I'll be honest.

**GWEN:** He doesn't, actually, does he? No. I know how he feels.

**KAREN FOLEY:** I wonder what he did? Probably his messy desk.

**GWEN:** Possibly. So Callum's case. He was found not guilty of the crime, wearing a houndstooth ski hat in May on the day of variable temperatures. The principle there was that wearing a hat which matched the surrounding countryside could be regarded as ecologically sound, and therefore a suitable use of a hat.

So these are the cases that we need-- the case of the case of Adam, Basil, and Callum. These are the cases that we're going to use to decide whether or not John's case was correctly decided. I'm going to represent John. And I'm going to argue that John's case was incorrectly decided and that the conviction should be overturned. That he should be found not guilty.

And then Sophia is then going to briefly come back to my submissions afterwards with some of her own, to argue that actually the case was correctly decided. So Sophia will be representing the Crown Prosecution Service, or the respondent in this matter, to say that it was correctly decided.

**KAREN FOLEY:** So we need to do this properly, and get at the correct state of mind.

**GWEN:** Do we have a judge?

**KAREN FOLEY:** Yes.

**GWEN:** We could really do with a judge.

**KAREN FOLEY:** We do. Hang on a moment. Here is Judge Foley. I'll be one sec. There we go.

**GWEN:** Blimey.

**KAREN FOLEY:** I'm ready. I told you I've been very excited. This is a curtain, by the way. Right.

**GWEN:** Well, I get this wrong, it's curtains for me.

**KAREN FOLEY:** OK. Are you going to stand at our fabulous lectern and argue your case?

**GWEN:** OK. Well, I feel a little bit more comfortable with Lexi, to be honest with you. But I think--

**KAREN FOLEY:** Well, you can't have it. It's not big enough.

**GWEN:** It needs-- needs something. You're absolutely right there.

**KAREN FOLEY:** I'm very sorry. You might be unlucky this time. I might win.

**GWEN:** Yes. Well, actually, you don't really win. You just decide who wins. That's the whole point of the judge.

**KAREN FOLEY:** OK. Good, good. I can do that. And then I have this hammer, do I? And--

**GWEN:** Well, you can if you like. Yeah. I mean, normally, a hammer would be where you're dealing a verdict. But I don't know whether or not you're going to be able to decide at the end of this appeal whether or not-- normally judges retire for a period of time--

**KAREN FOLEY:** To the bath?

**GWEN:** Oh, yeah, possibly.

**KAREN FOLEY:** That's where I'm going later.

**GWEN:** I don't like to pry too much into the activities of the judiciary after they've retired from court.

**KAREN FOLEY:** Right. So, are you going to argue your case?

**GWEN:** I'm going to argue the case for Callum. Now I need to get into character here.

**KAREN FOLEY:** Yes, you do. I'm in character. I've made an effort.

**GWEN:** Yeah. Because the thing about moots, that they're all very formal. There's a very formal way of speaking, which involves-- you've got to have respect for the court, and the judge, and the way that you address the judge. So I'll be referring to you as My Lady. And this is it. So when you're ready, perhaps you'd like to use your gavel to signal me on, and I can start.

**KAREN FOLEY:** I'll just bang it, do I?

**GWEN:** Go on. Why not? Give it a bang.

**KAREN FOLEY:** Order. Order.

**GWEN:** My Lady.

**KAREN FOLEY:** This is good.

**GWEN:** My Lady, my name is Gwen Hopkins. And I appear for the appellant, John, who was convicted of wearing a hat in unsuitable conditions, contrary to Section One of the Inappropriate Hats Act of 2003. On appeal to the High Court by way of case stated, Mr. Justice Milliner upheld the conviction, stating that he was bound by the precedent set of the case in the Crown and Adam reported in 2008 in Vol. One of the Weekly Law Reports beginning at page 216.

My learned friend Miss Sarry appears for the respondent, the Crown Prosecution Service. Before I begin, may I check that you have a copy of my skeleton argument in bundle?

**KAREN FOLEY:** Yes. Thank you.

**GWEN:** I have two submissions, My Lady. The first relates to the thermal properties of a hat in relation to the person wearing it. And the second is the test for suitability of a hat is a subjective one and it is dependent upon the prevailing conditions and also of the properties of the hat wearer himself. If it pleases the court, I will now begin with my first submission, which you will find at paragraph 2 of the skeleton argument.

**KAREN FOLEY:** Yes. Please proceed.

**GWEN:** My Lady, in my first submission is this. Mr Justice Milliner erred in applying the principle established in the case of Adam. The true principle in the Crown and Adam was that where the primary function of the hat was that of protection from the cold, such a function was of no benefit and therefore inappropriate when the temperatures were so high as not to justify deployment.

I'd like to draw Your Ladyship's attention to the judgement of Lord Justice Beret at page 220. If I can direct you to tab 3 of the bundle, and--

**KAREN FOLEY:** Lord Justice Beret, what an appropriate name.

**GWEN:** Page 220, My Lady.

**KAREN FOLEY:** Do they often get this wrong? Tab 3, is it? 220, OK.

**GWEN:** I believe you-- I believe you have sight of the case now, My Lady. That's right. So I'm just going to read the section at the bottom of page 220 that you can see there. Lord Justice Beret says, Mr. Bobble, QC for the appellant, submitted that it was not possible to show beyond all

reasonable doubt that the conditions in which his client sported the headwear were inappropriate. However, whilst the burden of proof may lie on the prosecution to prove all facts beyond reasonable doubt, the issue here is not one of fact but one of law, set out by statute and illuminated by previous cases decided before us.

In this regard, I have no trouble in concluding that it was wholly inappropriate for someone possessing the characteristics of the appellant to be wearing a ski hat in the middle of summer. He had no need of protection from the cold. And in fact, such an item in the prevailing conditions would likely more have been a discomfort than a benefit.

Now, My Lady, in this case, in the case of Adam, he had a full head of hair. It was therefore clearly not necessary for him to be wearing a ski hat in hot weather. But in our case, the appellant was bald. Therefore he cannot be compared to the defendant Adam.

**KAREN FOLEY:** But Mr. Hopkins, even if the appellant did get some of the benefits of the hat on account of his baldness, was it still appropriate to be wearing it in summer? After all, if he gets used to its protection in the summer months, isn't there a danger that he wouldn't feel the benefit of it in the winter?

**GWEN:** Well, that's a very good point, My Lady. But what I would say is this, is that there are different levels of protection that can be afforded from different hats. So whilst a thin woollen hat may be offering some level of protection, when the months draw in-- when the winter months draw in-- there's nothing to stop the appellant from actually wearing an even warmer hat.

And so therefore, he would still be able to derive an element of benefit from a warmer hat in the winter. He wouldn't necessarily feel a benefit. So it is my submission that the hat was appropriate because there were even warmer and thicker hats that he could wear in the winter. May I continue, My Lady?

**KAREN FOLEY:** Yes. Please continue.

**GWEN:** I'm grateful. My second submission, My Lady, is this. The circumstances in the case of Adam are not consistent with the instant case, the case that we're talking about of John. Regardless of the time of year, John requires a greater than usual protection from cold snaps on account of his baldness.

I'd like to direct Your Ladyship to tab 4 of the bundle, and the paragraph 71 at the bottom of

that page that you're on, My Lady. Here, this is the judgement of Lord Trilby of Panama. And he says, at paragraph 71, the following. He says, "The test is a subjective one. What may be appropriate for one man may be wholly inappropriate for another. In my judgement, it seems plain to me that regardless of the prevailing conditions or ambient temperatures, there will be circumstances where a bald man will be in need of the protection of such headwear regardless of the time of year."

**KAREN FOLEY:** Counselor, Lord Trilby says, "in need of such headwear," which suggests that the particular type of headwear is quite important. So exactly what type of hat was Basil wearing?

**GWEN:** Well, well, My Lady, it was a straw hat. It was a straw hat with a brim.

**KAREN FOLEY:** Well, then surely that was sensible protection from the sun without being too hot for the person wearing it. Surely you can't say that a ski hat that covers the ears is equally suitable in the summer?

**GWEN:** What I would say, My Lady, is that the-- a straw hat with a brim may be useful purely for protection from the sun, but what we have here in this situation, the appellant was on Weymouth Beach. It was windy. We know it was windy. It says so in the facts of the case. And therefore he probably should also be afforded a level of protection from the heat.

But in addition to that, the windy conditions would be such that it would be completely inappropriate for a very light hat with a brim to be worn. In such conditions, the hat would simply blow off his head. And then he'd be left with no hat, no protection whatsoever. And that surely would be more inappropriate than a ski hat where you could tie the flaps around and make sure it was nice and secure.

So I would suggest there, My Lady, that because of the windy conditions, it was completely appropriate for the appellant to be wearing such headwear. And unless I can be of further assistance, My Lady, that completes my submissions. And I would just like to conclude that in light of these, I respectfully request that the court allows its appeal.

Now before I go, I'd just like to say that obviously my learned friend, Miss Sarry for the Crown, will have some response to my submissions. And I would invite you to hear her now.

**KAREN FOLEY:** We shall, indeed.

**SOPHIA:** My Lady, as indicated by my learned friend Mr. Hopkins, I am Sophia Sarry and I'm counsel

for the respondent. If it please the court, I submit that the judge at first instance, Mr. Justice Milliner, was correct in his findings. For clarity, I will dispense with case summaries and reference to specific paragraphs within the judgments due to time constraints.

**KAREN FOLEY:** Yes, we are very short on time.

**SOPHIA:** Thank you, My Lady. My first submission relies on Adam's case. My learned friend for the appellant sought to distinguish John's case from Adam's. The facts of these cases are so materially similar that it is respectfully submitted that the court cannot disregard this case. The court must follow the principles established and apply them to John's case. Adam was also wearing a ski hat during summer, as John was.

**KAREN FOLEY:** What do you say to the fact that Adam was bald?

**SOPHIA:** That is a pertinent question, My Lady. And I will go on to answer that in my submission. My learned friend suggested that it may have been cold, leading John to need to wear the hat to protect his bald head. This is speculation, My Lady. And there is nothing within the facts of the case to suggest that the reason John was breaking the law was because he was cold. Findings of fact must be considered by the court at first instance, and cannot be discovered through this appellate court.

In the alternative-- sorry, in the alternative, had the weather been warm that day, John could not use this as an excuse for breaking the law. He could have worn a canvas hat, as was the situation in Basil's case, or a straw hat. The defendant in that case was also bald and he donned a straw hat to protect himself from the sun.

The distinguishing characteristic in this case, as opposed to John's case, was the suitability of the hat. In Adam's case, the ski hat was not reasonable in the unsuitable conditions. And in the same as John's case, it was not reasonable. In Basil's case, it was reasonable to wear canvas hat in suitable conditions. The point of law here, My Lady, is that John's hat was wholly inappropriate on a beach in summer, regardless of the weather.

**KAREN FOLEY:** What do you say, then, to Mr. Hopkins suggestion that a canvas hat would not be appropriate in windy conditions?

**SOPHIA:** I see your point there, My Lady. The measures that could be taken to mitigate any detriment arising from wearing a straw or canvas hat-- such as string that ties under the neck to secure a hat, or even by dispensing with a hat altogether and using a parasol-- were available to

John. But he did not use those options.

My Lady, my further submission is that for this court to allow John's appeal would open the floodgates to give carte blanche to those who want to wear hats in unsuitable conditions. This would clearly go against the intention of Parliament. And as such, John's appeal should be dismissed.

My Lady, my final submission is that the case at hand should be distinguished from Callum's case. It is submitted that the hat John wore did not match his surroundings, namely the beach. It is unreasonable to suggest that a ski hat would be in keeping with the surroundings of a beach. And unless I can assist the court any further, this concludes my submissions. And it is respectfully requested that the appeal is dismissed. Thank you, My Lady.

**KAREN FOLEY:** Well, that was confusing. What do I do now?

**SOPHIA:** Who do you think won?

**GWEN:** Yes.

**KAREN FOLEY:** Well, this is a very, very difficult thing. I'm going to ask to go to the hot desk and see what everyone at home thinks.

**SOPHIE:** There's a hot debate going on actually at the moment. We've got parasols being mentioned. Why can't people use parasols? We've had feelings. It's about how people feel if they're cold, if they're ill. Maybe it's the only hat he owned, said Davin. So lots of different responses here.

**KRISTEN:** Yeah. Or whether there should even be a law that would prevent someone from wearing a hat if they just wanted to. I'm not quite sure. I mean, the one thing-- not to make too much light of it, but they all think you make a great judge, Karen.

**KAREN FOLEY:** Well, I was just going to say that perhaps people shouldn't be discriminated against. If they can only, say for example, afford to have one hat.

**KRISTEN:** Yes. Yeah. And someone mentioned about how the person feels. If they feel OK in the hat, then why is it a problem? So I don't know the answer to that.

**KAREN FOLEY:** Stuart, I'm not allowed to hang them.

**GWEN:** You'd need a black hat for that, wouldn't you?

**KAREN FOLEY:** Oh, yes. I would. I don't have one of them. I've only got a curtain.

**SOPHIE:** ...earlier conversation, we were talking about people having the right to choose what they wear. So, linking it to that, if you can choose what you like to wear, you can wear a hat or three.

**KAREN FOLEY:** I see you have chosen to wear a selection of hats.

**SOPHIE:** I couldn't pick. And I feel a bit bland today. I've got black jumper on, and I had a white beret. I wanted to add some colour, so purple tartan--

**GWEN:** Bit of solidarity for John there.

**KAREN FOLEY:** And you have plenty of lovely hair, Sophie, so--

**GWEN:** Je suis John.

**KRISTEN:** People seem to think that there should be some medical expert advice to help make the decision as well. So--

**KAREN FOLEY:** I think this is a democratic thing. I'm going to bow out. And I'm going to ask the audience at home. OK, do you agree or disagree? Should Gwen's argument stand? Do you agree or disagree? Let's see what people say. We're going to set that widget up in a moment and we're going to ask you whether you think Gwen agree-- you agree that Gwen should win or you disagree. And then we're going to ask about Sophia. Should she win or not?

OK. So firstly, we're going to have a look at Gwen. Let's wait for those results to come in.

**SOPHIE:** Well, in the meantime, Rubina thinks you're very funny.

**KAREN FOLEY:** I'm not trying to be funny. I'm trying to be serious.

**GWEN:** This is a serious issue.

**KAREN FOLEY:** It is a serious issue.

**SOPHIE:** There was talk about making this into a soap, a monthly series.

**KRISTEN:** A monthly series, yes. Yes.

**KAREN FOLEY:** By the way, Sophie, have you heard from HJ?

**SOPHIE:** Well, I have heard a bit of a rumour. Obviously, HJ's just there. I heard he committed a bit of a crime against fashion, turned up to his tutorial in an inappropriate hat.

**KAREN FOLEY:** Oh, no.

**SOPHIE:** I mean, there's a rumour that it was a fez.

**KAREN FOLEY:** Oh, he hasn't-- he had that fez last night. I saw him have it. And I keep saying, don't wear it. It's red. It's awful.

**SOPHIE:** He could be in there a little while.

**GWEN:** It's quite bizarre.

**KAREN FOLEY:** We had this thing where we agreed that wearing a hat helped you study. But I don't think there's any evidence to suggest that that might be the case.

**GWEN:** Was it a performance enhancing hat?

**KAREN FOLEY:** No, it was a fez.

**KRISTEN:** A performance enhancing fez. That's what I need.

**SOPHIE:** I think there's an invention in there. I'd trademark that one.

**KRISTEN:** Yeah, exactly.

**KAREN FOLEY:** He's going to be furious if he watches this. OK. The results are in. OK. So whether we agree that Gwen should win, let's see. 1/3 agree. 2/3 disagree. Sorry, Gwen.

**GWEN:** Oh, well. You're obviously the better advocate on the day, Sophia. I take my hat off to you.

**SOPHIA:** Thank you.

**KAREN FOLEY:** Man. Is it because you went second? Because I sort of felt like the argument was getting a little bit more clear and solid because of the order effect. Is that having an impact?

**SOPHIA:** Yes, definitely. I knew what Gwen had said. And so I could rebut what he had said. So I have the upper hand in this case. But, as in any court room, you might have a right to respond. So

who knows? It might have turned out differently had Gwen rebutted my arguments. It's a moot point, so it can go either way.

**KAREN FOLEY:** OK. Well. Get rid of this curtain. It's ridiculous, quite frankly. So how does it go then when you're going around and doing these moots? I mean, it must-- you just have to prepare a lot. But I guess you don't know what the other team are going to say. And this is what makes it interesting. So how much preparation is involved in this?

**GWEN:** There's a lot of strategy involved in terms of wondering what the other team are going to prepare. One of the requirements of the moot is to make sure that you follow the spirit of the competition. So you shouldn't really be ambushing. That's the whole reason why we have these things that are called skeleton arguments, that you exchange a few days before the moot, which is an outline of what you're going to say. That will tell you-- that will give an indication of what you're gonna say.

But sometimes there's always a temptation to just sort of hide, put something in there which they may interpret one way but actually when it comes to being on your feet. You make some sort of sideline point which they think, oh, I wasn't expecting that. And can maybe catch them off guard.

So there is a lot of strategy in it, because it's a trade off between being courteous and respecting the court and winning, basically. But not necessarily at all costs. So, yeah, there's an awful lot of preparation, isn't there?

**SOPHIE:** There is.

**GWEN:** I mean, you have to read-- some of the cases that you have to read--

**SOPHIA:** Hundreds of pages long.

**KAREN FOLEY:** And how does this help you then in your studies? Because it seems like a lot of hard work. But it does, to be fair, seem a lot of fun also. And I guess-- I mean, you'd mentioned about developing arguments and analytical skills and being able to, I guess, compare and contrast certain aspects. Does it help you in your studies?

**SOPHIA:** Absolutely. You can start to understand why some of the points of law are made. You can understand how the law works. It's great to figure out how to do-- once you get mooting, your studies will become easier in the long run because you can make a reasoned argument based

on both sides.

**KAREN FOLEY:** Let's see what's going on on the hot desk, because we're going to need to close this very, very soon. So Sophie and Kristen.

**SOPHIE:** Yes. So most people are agreeing that there wasn't enough evidence. They wanted medical evidence. They wanted weather records. They were quite demanding actually.

**KRISTEN:** Yes, they were. We didn't have anything to get give them.

**SOPHIE:** A sample set, similar physiologies, there were all sorts going on. So you made some very good points. It was very good. I think everyone really enjoyed it. They enjoyed all the acting. So very well done. And thank you to everyone.

I have just put something in the chat, but I would just like to remind people that if you sent in a picture please do send us your address because without that we can't really get anything to you. So send through your address, and which poster you'd like, to [studenthub@open.ac.uk](mailto:studenthub@open.ac.uk) and we can get that out to you.

Thank you ever so much for taking part in those. It's nice to have had your pictures in and to really see what other people have been doing at home and things like that. All the hat selfies and things have been great. So thank you.

**KAREN FOLEY:** It has been wonderful. Kristen, can we have your final words?

**KRISTEN:** Yeah. I've really enjoyed it. I've enjoyed this whole day. And thank you everybody for participating. It's great. Absolutely a great day.

**KAREN FOLEY:** It has been wonderful. And it has been great that so many students from the Open University Business School and the Open University Law School have come together. So thank you so, so much for coming. This is all we have time for. If you haven't had a chance to engage with other activities, as I've said, there is plenty around on the catch up to help you gear up for your module start.

But it has been an absolute pleasure. And thanks to all our participants involved throughout this whole day. You guys have been great. And we do do Student Hub live events much like this around a whole range of topics. So if you'd like to keep informed about those, select the Count Me In button on the website and give us your email address. And then we'll add you to

our mailing list and let you know when another event is on.

I'll tell you, we've got one in about three weeks time, which is when a lander is a landing on Mars, I believe. So we're going to find out about that on Friday the 21st of October, from 12:00 till 2:00. So come along to that please. Let us know how you found this event.

There's a feedback form on the website. It's very, very quick to fill in. We just like to know what you thought, if you've got any ideas, and to share your experiences of this event with us. So please do take a chance to feedback. As Sophie says, our email box is always there. It's always manned. So let us know if you've got any questions that we haven't been able to answer or again any comments. [studenthub@open.ac.uk](mailto:studenthub@open.ac.uk).

I'd also like to thank everybody else who's been involved behind the scenes to make this event happen. And that is all from us here at the Student Hub. So thank you very much. Enjoy the rest of your evening. The chat will be open for another half an hour or so for you to say your goodbyes, connect with each other, join those Facebook groups, join your LinkedIn profile, et cetera. And thank you so much for coming. See you very soon.