

Report on the second annual Oxford French Law Moot

The second annual Oxford French Law Moot took place in the Arumugam building of St Catherine's College on Wednesday 6 May 2009. As in the previous year, the Moot was organised by Dr Eric Descheemaeker under the auspices of the Institute of European and Comparative Law. The four teams taking part in this prestigious event each competed first in a semi-final, from which two winners progressed into the final to determine who would become "*le vainqueur*". Each team consisted of one or two Anglophones and one Francophone, and each were given twelve minutes and a separate two minute right of reply in which to argue one side of the case.

The problem concerned an occupier's liability for a lessee's injury sustained whilst stepping into a faulty elevator and subsequent claims against the proprietor and the company charged with the maintenance of the lift. The facts of the case were taken from a real-life case that had come before the Cour de Cassation (France's highest court in civil and criminal matters) some three weeks prior in early April. So, the mooters were arguing over a problem sufficiently vague and complex to necessitate judgment from France's highest court. However, perhaps because the task of doing this in a second language was not considered enough of a challenge, and in true Oxford style, the similarities with the Cour de Cassation were taken one step further. Namely, Monsieur Alain Lacabarats, Président de Chambre of the very chamber of the Cour de Cassation which had judged the real case the previous month, also judged one semi final and the final of the moot. Surprisingly, I have it on good account that this did not contribute in any way whatsoever to any pressure felt by the teams leading up to and during the Moot... remarkable really. The other two judges were François-Xavier Lucas, Professor at the Sorbonne and Deputy Director of the Oxford Institute of European and Comparative Law, and Maître Pierre Raoul-Duval, Senior Partner at the international law firm Gide Loyrette Nouel, whose generous sponsorship made the whole event possible. The judges' feedback was kept until after the final had finished, but as I am nowhere close to being as qualified as any of the judges, I will give my feedback now.

The mooting, it was generally acknowledged, was of a very high standard. Francophones and Anglophones alike were all capable of delivering detailed, nuanced and convincing legal arguments. The non-native speakers inevitably relied on their prepared speeches more heavily than the French participants, but nevertheless more than held their own. I think it is fair to say that all of the rounds were close, but the team which eventually won (Francesco Donini-Ferretti, Julia Lowis and Ciar McAndrew) were notable for several reasons; their ability to argue both sides of the problem cogently and methodically was very clear. However, the area in which they truly stood out was the packaging of their arguments; as the judges later pointed out, it was their sheer advocacy and ability to convince the judges that ultimately earned them the victory.

After the mooting, there was a dinner for all participants in the St Catherine's Senior Common Room with the judges, associates from Gide Loyrette Nouel and Professor Timothy Endicott (Dean of the Oxford Law Faculty), which was a welcome chance to relax from a highly rewarding, and very tiring day. No one said the Oxford French Law Moot was going to be easy, but it was definitely an event from which all those who contributed to, gained a lot in return, and I sincerely hope that it continues to go from strength to strength in future years.

Jacob Taeae
Jesus College