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LLM student wins Birmingham Postgraduate Mooting Cup

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The final of Birmingham Law School's Postgraduate Mooting Cup took place last month. In a final round described as “exceptionally close” by judges, LLM student Richard Murtagh tipped the scales in his favour to claim victory.

This year’s moot problem concerned the crime of theft. Richard had to argue that accepting a valid gift from a person with full mental capacity should not count as an “appropriation” of property under the Theft Act — despite strong precedent to the contrary.

Richard told us:

“In real life, you couldn’t choose a more difficult case to defend! The law was overwhelmingly against my side. But in mooting, where the client is fictitious, having the law against you is actually a good thing. It forces you to dig deep; to distinguish the facts of your case from those of previous cases, and to look for faults in the law itself. In short, being the underdog forces you to work hard to be the best advocate you can.”

The other finalists were Eleanor Rowan, Sarah Villani and Amy Lawton — all studying for postgraduate qualifications at Birmingham Law School. Friends and family came to see the participants in action, leading to a packed-out Moot Room.

The competition was sponsored by No5 Chambers, who provided two criminal law barristers to judge the oral arguments: James Dixon and Walter Bealby.

The winner was presented with the Postgraduate Cup and an invitation to undertake a week’s work experience at No5.

“It’s a sobering thought” said Richard, “that one of tonight’s judges has been practising criminal law for longer than I’ve been alive!”

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