



Law Society
of Scotland

THE LAW SOCIETY OF SCOTLAND

Donald Dewar Memorial Debating Tournament Rules Judging Guidance

2023 / 2024

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A. HISTORY OF THE DEBATE

The Tournament was originally established in 1999 and run in conjunction with the 50th Anniversary Conference of the Society. It has proved very successful and is now held on a yearly basis from November to June.

The Society wished to promote an understanding of the importance of debate, advocacy and communication to the legal profession, democracy and society at large.

We believe that debate promotes the following skills:

- Analysis of a motion and identification of key issues, arguments and facts
- Research – across a range of sources
- Preparation of a logical, coherent, structured and factually supported argument
- Preparation for questions and issues that may be raised by an opposing team, and being able to deal with those questions when they arise
- Rebuttal
- Summing up ‘threads’ of an argument from both sides of the debate (in summations speeches)
- Confidence and presentation skills

Not only is this relevant to presenting a legal case and the skills that requires, but also to how that law is formed initially by parliamentarians and their advisors. The Society believes that active participation in democracy requires that the principles of debate be understood – to allow them to be applied in environments as diverse as the formal settings of parliament, councils and committees through to use informally to discuss issues of relevance to young people and students.

All Scottish Secondary schools, both state and independent, are invited to participate.

In the 2022/2023 tournament 64 teams entered the competition (128 pupils). Competing teams came from across the country, from the Highlands to the Scottish Borders. There were 16 first round heats, 8 second round heats, and 2 semi-finals. The semi-final is an ‘unseen’ motion – with teams only allowed an hour to prepare.

The tournament 2023/2024, 64 teams will be invited to enter and the school that wins the competition will receive the tournament award, £1000 for their school, and a commemorative gift goes to all finalists. The winning and runner-up schools will share a prize of £500 - worth of books from Hodder Gibson's educational books range (£250 each and the schools' choice of books). All finalists will receive book tokens.

Schools host the heats and judging panels are made up of members of the legal profession, friends of the Society and from student debating societies across the country.

B. TOURNAMENT FORMAT

1. Structure of Overall Tournament

| | |
|-----------------------------|--|
| 1st Round | Heats take place on 16 & 23 November 2023 – <i>teams will only compete on one night</i> (IN PERSON) |
| 2nd Round | Heats take place on 18 & 23 January 2024 – <i>teams will only compete on one night</i> (IN PERSON) |
| Semi Finals | Heats take place on 7 March 2024 (IN PERSON) |
| National Final | June 2024 (venue TBC) |

The Semi Finals shall be an Impromptu Debate (unseen motion).

The National Final will be held in Edinburgh in June 2024.

2. Structure of Tournament Rounds

The format for debate is two speakers a side with only two teams in each debate.

There will be two debates per heat:

- 1st debate - 1 proposition team to 1 opposition team
- 2nd debate - 1 proposition team to 1 opposition team

Please note that the speakers taking part in the 2nd debate should not be present during any earlier debate.

In the first and second rounds **two teams per heat** will progress to the next round in the semi final rounds only **one** will progress. The winning teams may be from different debates or the same debate; they may both be on the same side or on different sides of the argument; it is their score that should determine their ranking.

NB. Should one of the debating teams withdraw at short notice, it would then be necessary for the remaining opposing/proposing team to present their speeches twice. They would be marked on their first presentation.

* In certain rounds this might not be the case. Competitors in individual heats will be specifically advised about this (for example, there might be a heat with three teams in which only one team will progress).

B. TOURNAMENT FORMAT (Cont.)

A book voucher will be awarded at each event for the best speech from a pupil during the floor debates (only one per event). Schools should encourage less experienced debaters to attend and take the opportunity to start practising their skills. Later in this booklet there is guidance on floor speeches (section G.6.).

3. Structure on Individual Debates

The debate will take the following format:

| Section | Time Allowed |
|----------------------------------|----------------------------------|
| Chair's Introduction | 5 minutes (<i>approx.</i>) |
| First Proposition speaker | 6 minutes |
| First Opposition speaker | 6 minutes |
| Second Proposition speaker | 6 minutes |
| Second Opposition speaker | 6 minutes |
| Floor Debate | 10 minutes (<i>approx.</i>) |
| Opposition reply speech | 3 minutes |
| Proposition reply speech | 3 minutes |
| Adjudication Time | 10-15 minutes (<i>approx.</i>) |
| Delivery of Adjudication Results | 5 minutes |

Repeat
for 2nd
debate

The Chair should maintain control of the debate throughout. **The Chair should be a member of the teaching or coaching staff** of one of the schools present, they should not be a school pupil.

The Chair should be addressed as 'Mr/Madam Chair' or 'Mr/Madam Speaker'.

B. TOURNAMENT FORMAT (Cont.)**4. Timekeeping**

The method of signalling timing for speakers is at the discretion of the host. Some examples are a bell or an oral signal, such as “one minute”.

A time signal will be given:

- **At the end of the first minute of each speech**, that first minute having been protected from interruption
- **One minute from the end of each speech**, that final minute being protected from interruption
- **A double signal, at the end of the six minutes**
- A double signal each 30 seconds thereafter until the chair intervenes to ask the speaker to conclude

Reply speakers have three minutes and will be given a signal when they have one minute remaining, they cannot be interrupted at any stage of the reply speech.

In addition, speakers may wish to use their own stopwatch during the course of the debate, this is perfectly acceptable practice.

C. THE ROLES OF THE SPEAKERS

1. First Speaker – Proposition

The role of the first speaker of the affirmative is to:

- Define the topic
- Establish the issues for the debate
- Outline the affirmative case
- Announce the case division between the speakers
- Present and prove his or her part of the affirmative case

Whilst the proposition can define the motion in any way they see fit a good definition will be straightforward, intelligent, and fair to the opposition. Definitions that effectively preclude a rebuttal should be heavily penalised. For example, if the motion were *'This House believes in the right to an education'* and the proposition define education as any learning, in any setting, from any person (including learning to speak, walk, talk, etc.) then it will be impossible to rebut the argument. Definitions that are too narrow, tautological or truistic, or too far removed from a 'common-sense' interpretation of the motion should also be penalised. As the first speaker for the proposition has nothing to respond to by way of previous speech particular attention should be paid to how they deal with points raised by the opposition.

2. First Speaker – Opposition

The first speaker for the opposition *can*:

- **Challenge the definition**, in whole or in part, in which case they should present their reasons for doing so and their alternative or amended definition – if the proposition have presented a reasonable definition, but not one the opposition had predicted, they should take care how far they seek to amend it. Opposition speakers will be rewarded for tackling poor definitions, pointing out inconsistencies, examining weaknesses, and challenging fact. They will be penalised for attacking a good definition or ignoring the issues established by the proposition.
or
- **Accept the definition** and go on to outline weakness and inconsistencies in the proposition *arguments*.

The first speaker for the opposition *should*:

- Outline the opposition case
- Announce the case division between the speakers
- Present and prove his or her part of the negative case

It is only during this speech that the final parameters of the debate are in place. By the end of this speech it should be clear which parts of the definition are accepted, which are contended, and what the approach of the opposition is going to be.

Flexibility should be rewarded. The best debates are those based on argument rather than definition.

C. THE ROLES OF THE SPEAKERS *(Cont.)*

3. **Second Speakers – Proposition and Opposition**

The second speakers should:

- Lead on logically from the first
- Rebut the positions presented by the other side
- Address questions raised fully,
- and concisely sum up their own, and their side's, position

4. **Reply Speakers – Opposition and Proposition**

It is up to the teams to decide who the reply speaker is, it does not matter which position they have taken in the main debate.

The opposition reply will come first.

The choice should be intimated to the chair and the judges in advance.

Reply speaker will have 10 minutes to prepare during the floor debate.

The reply speaker should provide a compelling argument summarising the main themes of the debate and outlining the superiority of their side.

No new arguments should be raised at this stage although speakers may present additional information in response to arguments made earlier.

D. POINTS OF INFORMATION

1. Between the first and fifth minutes of a speaker's substantive speech, members of the other team may offer points of information.
2. To offer a point of information a speaker stands, usually covering their heads with a set of papers, and says 'on a point of information' – they should then wait until the person delivering their speech either accepts or declines the point.
3. The purpose of a point of information is to make a short point or ask a short question of the speaker. Points should be made through the Chairperson; *'Madam Chair, does the speaker appreciate that....'*
4. As a general rule a speaker should accept at least 2 points of information in his or her speech.
5. As a general rule each team member should offer between 2 and 4 points of information per speech and should not offer them within a short time of a previous point of information having been offered.
6. Barracking should be penalised. Personal comments or attacks should be penalised. Poor quality questions or a failure to respond should be penalised.
7. The response by the speaker to a point of information should be included in the mark for that speaker's speech.
8. The offering of points of information should be included in the mark for the speaker offering points.

E. JUDGING

- 1 There will be a Judging Panel usually of three at each heat but if due to unforeseen circumstances, this should alter on the day, the debates should proceed with the remaining Judges/Judge.
- 2 **Each panel will have a Presiding judge who will oversee the decision making, ensure decisions are based on this set of rules and guidance, and should lead the feedback to schools. Judges should be careful to refer ONLY to criteria stated in the rules when providing feedback and should refrain from giving feedback unless experienced in doing so.**
- 3 Judges mark independently of each other during the course of the debates.
- 4 At the end of the debate the judges should leave the debate room briefly to confer. If online debates there will be a separate judge deliberation meeting to join.
- 5 The purpose of the conference is to brief one of the judges (normally the Presiding Judge) to give a short adjudication on behalf of the Judges.
- 6 Judges can decide how marks are combined. In some instances, it may be most appropriate to add numeric scores whilst in others it may be best to take the relative positions in which each judge has placed the teams. Judges have absolute discretion but should be prepared to justify their result based on the guidance in this document.
- 7 Judges should also select a 'Best Floor Speaker' of the night, using the criteria in this guidance, and announce the winner. The winner's name will be passed to the Law Society who will then send the book voucher to the school to award to the winner.
- 8 The adjudication should be short and should explain the result to the audience. In particular, it should set out the key reasons why the winning team(s) won, and comment on significant matters of debate style or technique that were displayed in the debate.
- 9 The adjudication should be constructive, not negative.

F. MARKING STANDARDS

1. Introduction

It is expected that judges will be familiar with all the information in this document.

It is expected that judges will mark on the basis of the information provided in this document as a whole and this section specifically. It is the job of the judges to determine which team was most convincing as debaters using two key criteria: content and style (discussed in detail below).

Unless they affect the quality of the argument presented, judges must not take into consideration irrelevant factors such as dress, accent, age, grammar, school, etc.

Please Note *It should be noted that a common judging error is to award points on style over content. Whilst confident and eloquent speakers should receive high marks for their skills, at the heart of debating lies the ability to present a coherent, structured, reasoned argument supported by appropriate evidence. Hence the weighting in the marking system.*

Please Note *Another common issue is how to score teams in a debate in which one team has a very strong speaker and a weak speaker, whilst the other has two mediocre speakers. The Society has taken the view that debating is a team-based contest that depends on consistency of approach, consistency of argument, and both members fulfilling their respective roles. Team performance should be used as a deciding factor in such instances.*

A marking sheet is available from the website and should be used by all judges.

2. Scoring

For all main speeches:

| | |
|---------|------|
| Content | = 60 |
| Style | = 40 |

For reply speeches:

| | |
|---------|------|
| Content | = 30 |
| Style | = 20 |

F. MARKING STANDARDS (Cont.)

3. Marking CONTENT

Content is the argument used by the speaker, divorced from the speaking style.

Judges will consider:

| Factor | Areas to Consider |
|---|--|
| Structure | Was there a clear and logical structure to the individual speeches? Was it related to the speech the other member of the team was going to make/had made? Was the structure easy to follow? Was the sequence logical? |
| Roles of Speakers | Did each speaker fulfil the role relating to his or her position in the debate, as outlined above? Did the speakers work well as a team? Speakers that do not perform their role should be penalised. |
| Relevance | Was the speech relevant to the motion and/or the definitions provided? Did any irrelevant material hinder the progress of the argument? Was humour, if used, relevant? Were any relevant areas deliberately or accidentally avoided? |
| Evidence | Were facts and figures presented to support the arguments made? Were sources of authority cited? Was it possible to determine the level of research the team had engaged in? Did the team use evidence to rebut and counter arguments from the other side? Did they challenge the evidence of the other party? |
| Analysis | Was the evidence interpreted by the speaker and related to the argument in a perceptive and appropriate manner? Were issues graded according to relevance and strength? Were examples used to emphasise the arguments being put forward? Was the analysis logical and consistent? Were there contradictions, flaws, or assumptions made? |
| Rebuttal and Points of Information | <p>Did the speaker rebut the arguments of the preceding speakers on the other side? Did they fail to rebut any arguments? Did they appear to understand the arguments made? Did they use evidence in their rebuttal? A key skill is the undermining of the other side whilst at the same time bolstering your own arguments – this should be rewarded.</p> <p>In relation to points of information the above applies as well as considering if the speakers have accepted and offered sufficient points of information. The information provided above on Points of Information should be considered. A speaker who offers no or very few points should be penalised. A speaker who accepts no points should be heavily penalised.</p> |
| Timing | Whilst short over/under running should not be penalised any significant divergence from the set times should be, in relation to its length and any extenuating circumstances. |

F. MARKING STANDARDS (Cont.)

4. Marking STYLE

Style is the way in which speakers speak.

Judges will consider:

| Factor | Areas to Consider |
|-------------------------------|---|
| Confidence | Does the speaker appear confident? Do they take command of the room and of the topic? Do they maintain eye contact and speak with flair? |
| Speaking style | Do they vary their tone, speed and volume? Do they use appropriate humour? Do they project their voice? Are they fluent? Do they 'um, ah, and err'? Do they 'connect' with the audience? Do they use repetition to make a point? Does the speech flow? Do they use gestures and body language to reinforce points? Gimmicks, 'pantomime', and stylistic issues that detract from the content and the argument should be penalised. |
| Use of Notes | Speakers should only use notes and only refer to them intermittently. Reading a brief verbatim quote from another speaker or authoritative source may be acceptable, in virtually no other circumstances is it permissible to read from notes – speakers who do this are not debating and should be penalised heavily. |
| Off-the-cuff responses | Speakers whose style is consistent when addressing questions raised as a point of information, or in rebutting the other side's arguments, should be rewarded. |

F. MARKING STANDARDS (Cont.)

5. Overall Marks

Below is a rough guide as to what the combined marks about a speaker should mean. It is for guidance only and is intended only to give an idea of how people should be scored:

| Main Speech | Reply Speech | Level |
|-------------|--------------|---|
| 90-100 | 45-50 | This is a world-class debater who has just delivered a speech which is among the best you have ever heard. This is ' <i>I have a dream...</i> ', ' <i>Gettysburg Address</i> ', or ' <i>We will fight them on the beaches...</i> ' standard speech. |
| 80-90 | 40-45 | A potential winner of the competition; fluent, eloquent, engaging of the audience, responding well to questions, addressing the issues raised by the other team, structured and logical. Technically competent across all the criteria. |
| 70-80 | 35-40 | A very strong speaker, likely to get to the final – but no feeling that they are a potential overall winner. Competent in all areas, logical, structured, with a degree of flair. |
| 60-70 | 30-35 | A strong speaker likely to do well in future rounds. Technically competent but perhaps with one or two weaker areas. Not difficult to listen to but no real flair. A structured and organised presentation but not one that seems to conclusively build into a winning argument. |
| 50-60 | 25-30 | Just competent as a debater. They are clearly aware of the standards they are trying to meet but have not displayed any real flair. The argument may have been a little disjointed and there will have been some issues of style. Someone to be encouraged to try again in the future. |
| 40-50 | 20-25 | Someone who has failed to meet several of the criteria. Whilst they may still be excellent in some areas there were significant flaws in both content and style. These might include contradictory arguments, or those which contradict their partner, lack of any evidence, failing to give any points, and so on. |
| 0-30 | 0-20 | Serious failure to meet the criteria. This person is likely to read from their paper, have serious flaws in their argument, flaws in their timekeeping, and have contributed little to the debate. |

F. MARKING STANDARDS (Cont.)

6. Floor Speeches

At each event a single prize shall be awarded to the best floor speech of the evening. Part of the purpose of this is to encourage contributions, especially from those who may not yet be at the stage of entering full competitions.

The purpose of a floor speech is not to specifically attack or undermine the speeches of other schools.

Floor speeches should be judged against the following criteria:

| Factor | Areas to Consider |
|-----------------------|---|
| Structure | Was there a clear and logical structure to the speeches? Was it related to issues already discussed or highlighted as a new point/position/angle? |
| Relevance | Was the speech relevant to the motion and/or the definitions provided? Did any irrelevant material hinder the progress of the argument? Was humour, if used, relevant? |
| Evidence | Were facts and figures presented to support the arguments made? Were sources of authority cited? Was it possible to determine the level of research the team had engaged in? Did the team use evidence to rebut and counter arguments from the other side? Did they challenge the evidence of the other party? |
| Analysis | Was the evidence interpreted by the speaker and related to the argument in a perceptive and appropriate manner? Were issues graded according to relevance and strength? Were examples used to emphasise the arguments being put forward? Was the analysis logical and consistent? Were there contradictions, flaws, or assumptions made? |
| Rebuttal | Did the speaker rebut the arguments of the preceding speakers on the other side? Did they fail to rebut any arguments? Did they appear to understand the arguments made? Did they use evidence in their rebuttal? A key skill is the undermining of the other side whilst at the same time bolstering your own arguments – this should be rewarded. |
| Confidence | Does the speaker appear confident? Do they take command of the room and of the topic? Do they maintain eye contact and speak with flair? |
| Speaking style | Do they vary their tone, speed and volume? Do they use appropriate humour? Do they project their voice? Are they fluent? Do they 'um, ah, and err'? Do they 'connect' with the audience? Do they use repetition to make a point? Does the speech flow? Do they use gestures and body language to reinforce points? |
| Use of Notes | Speakers should only use notes and only refer to them intermittently. Reading a brief verbatim quote from another speaker or authoritative source may be acceptable, in virtually no other circumstances is it permissible to read from notes. |

F. MARKING STANDARDS (Cont.)**7. Feedback**

Constructive, supportive and encouraging feedback should be given to all teams, if requested.

Marks are for the judges' reference only. In giving feedback the emphasis should be on giving specific suggestions as to what to do differently next time.

Remember – even those who have not done well this time have shown a considerable amount of courage and commitment to stand up and speak. Each year, new teams who have not debated competitively before, join the competition. These achievements should be commended alongside any guidance given.

Judges should be careful to refer ONLY to criteria stated in the rules when providing feedback and should refrain from giving feedback unless experienced in doing so.

G. GUIDANCE FOR HOSTS

Each year the competition depends on the many schools who are kind enough to support us by providing venues. Without this support the competition could not go ahead and we would like to take this opportunity to thank all hosts past and present.

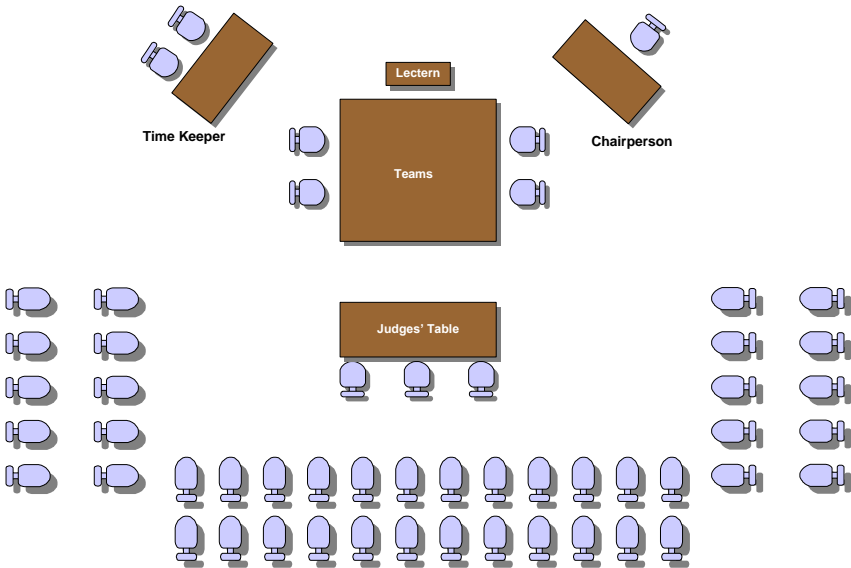
You may well have hosted debates in the past, however, we thought it would be useful to cover some of the basics for those new to hosting or to be used as a checklist.

The first round of the 2022/23 debate will be going ahead virtually and therefore a venue is not necessary. The heat will take place through Microsoft Teams and the host school is responsible for providing a chair and for timekeeping. Please see information about responsibility of chairs and timekeepers above.

All subsequent rounds will go ahead in person.

Debating Hall

You will need to provide a hall capable of being set up in a manner similar to the diagram below:



The level of support attending each heat can vary. We ask all schools to notify their hosts if they are bringing more than around eight supporters. However, ideally venues should be capable of sitting around forty supporters, coaches and parents.

Spare Rooms

We would also request that you have at least two spare rooms available. These can be used by teams waiting for their turn (as they should not be in the audience during earlier debates) and can later be used by the judges as they discuss their decision.

□

Order Papers

The Society will provide all teams competing with an order paper for the debate; we would be grateful if the host venue could copy this for the judges, timekeepers, chair, and spare for the audience.

□

Catering

Host venues usually provide tea/coffee/juice/biscuits either prior to the start of the debate or for during the judging. We appreciate every school has different arrangements for such matters and would ask anyone for who this presents a problem to contact the Society.

□

Time Keepers

The venue will be responsible for providing a timekeeper; this is an important job as the speakers are dependent on their time signals coming at the correct intervals. For this reason we usually suggest two people, in case one's attention is distracted. Please ensure the timekeepers have a copy of the guidance on timekeeping (earlier in this booklet) in front of them on the night.

□

Chair Person

The venue will also be responsible for providing a chairperson, this should be an adult, usually a coach or teacher from the host venue; pupils should not be used to chair heats. Guidance on the role of the chair is provided elsewhere in this booklet

□

Other things to consider

Other things you may want to consider are:

- Ensuring there are pupils/staff/parents available to direct other teams as they arrive and able to show people where there are toilet facilities
- Ensuring that the location of the debate is signposted if, for example, the debating hall is accessed from somewhere other than the main door/reception of the school
- The availability of car-parking
- Ensuring that no school bells sound during the debate

H. INFORMATION FOR ALL JUDGES

1. Please familiarise yourself with these Tournament Rules
2. Schools will provide you with Order Papers and Marking Sheets upon your arrival or before the debate. If possible, please also bring some along on the evening of the debate.
3. There will be two floor debates whilst the pupils are preparing their reply speeches during each debate. Please encourage pupils to take part - there is a £10 book token for the best floor speech of the night. **This will be sent to the winning pupil after the debate. Please ensure you get the name of the pupil and the school they are from.**
4. You are not obliged to disclose exact "scores" you give schools (if indeed you do attach scores to schools), nor tell schools who do not progress where they "rank".
5. In the event that there is a complaint about a result, remember the judges' decision is final. Please feel free to contact the Society to discuss, and we shall in turn liaise with the school.
6. Please ensure, if being asked for feedback you are positive and constructive and remember some of the debaters particularly in the early rounds, may be competing for the first time.
7. **In some rounds of the debate for 21/22 the debates will be held virtually. There is a separate virtual meeting room which judges should deliberate in before announcing their result.**

I. ADDITIONAL INFORMATION FOR PRESIDING JUDGES

It will be your role to (i) guide other judges whilst deliberating, in the event that the judges are finding it difficult to make a decision and (ii) deliver the adjudication speech at the end of the night and (iii) discuss your decision with pupils/teachers/parents at the end of the night (all judges will do this, but you may be "called upon" more than others to do so). Please note the following additional points:

1. Per the Rules, when delivering the adjudication speech please do not make *direct* references to particular schools/pupils, but rather make *general* points about what impressed you/what was less impressive, and what led you to choose the school/schools going through.
2. During your adjudication speech, we would be grateful if you would cover the following points:
 - the Society is grateful for the support of our sponsors, Hodder Gibson publishers and the Glasgow Bar Association, without whom we would not be able to run the competition;
 - this year, the school that wins the Final will receive the tournament award, £1000 for their school and a commemorative gift goes to all finalists. A second prize of £250 will be awarded to the runner-up school. The winning and runner-up schools will also share a prize of £500 worth of books from Hodder Gibson's educational books range (the schools' choice of books). All finalists will receive book tokens and commemorative plates.
 - every pupil who took part should be extremely proud of their achievement, whether or not they are progressing to the next round and we hope to see them again next year.
 - announce winner of floor speech and advise book token will be sent directly to school by post.
 - announce school(s) going through*

Please email debate@lawscot.org.uk the morning after your heat with the name of the school(s) going through, plus the name and school of the pupil who won the prize for the best floor speech.

We are extremely grateful for the assistance of Presiding Judges, and if there is anything we can do to assist and guide you before your heat, please contact us through email debate@lawscot.org.uk.