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# Interview of the Winners of the Surana & CUSAT School of Legal Studies, Dr AT Markose Memorial Technology Law Moot Court Competition, 2020

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**Synopsis.** Madhumita C , Vishva Shanmugam M V & Bhagavatula Naga Sai Sriram, representing the Winning team of the Surana & CUSAT School Of Legal Studies, Dr At Markose Memorial Technology Law Moot Court Competition, 2020, were interviewed in a Q&A format.

## The Testimonials

### About the Team's background in mooting

**Madhumita:** This was my third moot, and my first win. I was the runners-up in my first and second moot, held at Modern Law School, Pune and Noida International University, respectively.

**Vishva:** This was my second moot, my first was a Gujarat National Law University moot where I was a speaker. And CUSAT was my second moot, and first win.

**Sriram:** This was my second moot and my second achievement. I have also been the Best Researcher at the 2<sup>ND</sup> NATIONAL MOOT COURT COMPETITION- 2020 organised by the KALINGA UNIVERSITY, Raipur.

### Reason for choosing the moot

**Team:** Mooting is viewed as an important aspect of law school and we accidentally ended up finding this moot. The main reason for choosing this **1st Surana and Surana & CUSAT School of Legal Studies, Dr AT Markose Memorial Technology Law Moot Court Competition, 2020** is the uniqueness of the moot proposition. The moot problem is connected with a technology which can be effective in correcting medically

incurable genetic defects. Apart from the subject matter of the moot proposition, the issues involved in the case are contemporary and predominantly connected with the issue **“Whether Gene mutations will result in affecting the ‘quality and dignity’ of ‘human life’”**. The concept of Designer Babies was very interesting to us, and we were aware that it was a first-principle basis moot, and the curiosity to learn more about the concept is what motivated us to try out for this moot.

### **Interest and Inclination in Intersection of Tech and law**

**Team:** It is a mandate in a lawyer’s profession that one ought to constantly keep learning and never stop learning. Therefore, when times evolve, and current affairs surround new factors, a lawyer is bound to adapt to those in order to efficiently practice the profession. That is the way things have been even with the advent of technology. With the evolution of Technology, new codes have been introduced and Cyber Laws are gaining predominance, similarly, where there is a lacuna in the society’s morale, the law will be enacted to ensure there is no misuse of the lack of laws, thereof. Technology is improving and technology law will also take significance. In fact, during this Pandemic we can see how the Judiciary efficiently adapted to the online Court proceedings and how “Contempt of Court” has to be broadly interpreted to include even Lawyers sitting in their houses, connecting over a video call! Technically, they aren’t in court, But, that does not compromise the authority of the Judiciary!

### **First impression of the moot problem**

**Team:** The Moot Problem was the primary reason my team and I were interested in taking up this moot. The Concept of Designer Babies was so interesting, because it was something that often comes up in conversation with people, people saying “I wish I could change this about me” or people describing what kind of a baby they would like, but to think that could be a reality? And the disastrous after effects? We knew we wanted to know more about it and that we would definitely have fun in the process of research. Hence it was a deciding factor in us taking up this moot.

### **Moot preparation strategy**

**Team:** It was definitely a lot of work, as are most first-principle basis moot problems, and took a long time because the moot preposition was very complicated and we had to consider various legal aspects related to the moot proposition, frame proper legal issues related to the proposition, and also we had to look into various International Conventions related to the Gene Editing and Permissible Research of Genetic Mutations on humans. It took nearly three weeks to figure out the Moot proposition. **Our**

**important strategy is taking mock presentations of each other.** We took numerous mocks in order to make sure that the issues and laws related are cited properly during final presentation. We had to work all day and we had many sleepless nights during preparation. The debates that ensued among the teammates is what finally got us to frame a proper structure. We would constantly rebut each other's points and brainstorm by finding every possible opposing point, which gave us the ability to form fool-proof arguments.

### **Experience of the moot /judges/ opposite teams**

**Team:** We were excited to experience the moot at its best by visiting Kochi, however, the onset of the pandemic took that from us, and just when we thought our research just might go down the drain, they declared it to be held online, being in different cities, and not having remote access to our college's resources, preparing was wholly done through calls and e-mails and the moot itself was a new experience because we hadn't had on online moot before, and the etiquette and the usual connectivity issues were a threat to us. However, the organising committee were very helpful and the judges of the rounds very accommodating. In fact, the finals were judged by three sitting judges of the Kerala High Court, and the level of understanding and patience and they showed us was one of the main reasons we emerged winners!

### **Challenging moments during the moot**

**Team:** We had to work nearly 8 hours every day for preparing the moot memorial and the arguments on behalf of the Petitioner and Respondent. Adding to these we had to balance the regular semester classes, assignments given by the faculty. By balancing all these and working continuously was challenging to us.

### **Takeaways from the Moot and Moot Problem**

**Team:** The main takeaway was the wealth of information relating to how the legal aspects would play a vital role if a scientific advancement were to occur in society, and especially in the Indian context where the constitutional mandate is to protect the interests of religious sections and its communities, the ideas of customs and values ought to be given consideration and weightage maybe even more so than a scientific development. I think its safe to say, if there was a designer baby tomorrow, we could point out just exactly how the media would represent it immediately on different front because we considered all the variables!

**General Idea about a career in Tech and Law/ Area in which team members may be interested.**

**Team:** We were only in our second year when the moot took place, so we didn't really have much of an idea about whether we wanted to pursue a career in Technology Law, we are currently exploring our options and learning more about all the fields to take a conclusive decision by the end of our third year or the start of the fourth! As of now, our researcher is particularly inclined towards criminal law, and the speakers have our focus set on Alternative Dispute Resolution!

**Darshna:** Do you think India is prepared in dealing with the problem and scenario mentioned in the moot? Or if this problem happens in real life, the approach and preparedness that will be required to deal with it?

**Team:** In our honest opinion, the Indian Judiciary is well equipped to handle such a case because of the spectacular Constitution that our nation has, and the important questions of law would surround the cornerstone of Right to Life, Equality and Freedom as opposed to Right to Religion, since the major opposition to such advancement would occur from religious groups who would feel threatened of their values and customs. And seeing as the Indian Judiciary makes phenomenal pronouncements with regards to the new sections of the society, taking into account the people of its country, as evidenced in Navtej Singh Johar and NALSAR Judgement, it is safe to say if a designer baby were to exist, Indian Courts will know what to do about it. Are the people ready to accept it? Well, now that's debatable, seeing the multitude of opinions that the public have.