

# **PUBLIC INTEREST LAW MOOT COURT COMPETITION**

**2025/26**

Information pack for participants



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# INTRODUCTION

While South Africa has seen significant gains in the last 30 years since transitioning to a constitutional democracy, there is still much work to be done to ensure true equality and social justice for all. South Africa needs a new generation of human rights lawyers who have the energy, ingenuity and skill to respond to the ongoing socio-economic and political issues that still plague our country today.

The Public Interest Law Moot Court Competition provides law students with an opportunity to demonstrate their legal research, writing, and advocacy skills through engagement with a hypothetical case that brings together complex questions of socio-economic and political rights, rooted in the pressing challenges confronting the country today.

## Entry requirements

Students taking law courses in their second to fifth year at any university in South Africa may enter. Students must form teams comprising of two or three members to enter the Competition. Students enter the competition by [registering here](#) or by emailing [pilmoot@mootcourt.co.za](mailto:pilmoot@mootcourt.co.za) before **7 January 2026**. Thereafter, teams have until **10 January 2026** to submit heads of argument for both the applicant and respondent of the hypothetical case.

Teams will compete against one another to progress from the initial two rounds of written submissions to a virtual oral submission round, where teams will present their oral arguments on a virtual platform. The final round of the Competition will see the successful teams making oral submissions before a panel of judges at the Constitutional Court of South Africa in April 2026. Members of the winning team will have the opportunity to be preferentially considered for a fully paid internship at the Centre for Applied Legal Studies.

This information pack provides the official competition rules, competition timeline, hypothetical case and directives. Please read through these documents carefully before entering.

Students who register for the competition will automatically be eligible to enrol in the Interactive, Self-Paced PILMOOT Course curated by the Student Litigation Society, using data gathered from past competitions. Participants may access the enrolment platform [here](#). Participants' progression in the PILMOOT Competition is not dependent on their progress in completing the PILMOOT Course.

All the best!

# HYPOTHETICAL CASE

1. In South Africa, an estimated 80% of the Black population consults traditional healers for their primary healthcare needs. A rough estimate suggests the country has around 200,000 traditional practitioners.
2. The Healers United Movement (HUM) is a national coalition of traditional health practitioners formed in 2015. Its founding objectives are to promote the recognition of traditional healing, ensure healers' inclusion in policymaking, preserve indigenous knowledge, and protect healers' and patients' constitutional rights. HUM's membership, estimated at 8,000, includes sangomas, herbalists, and traditional birth attendants from all nine provinces.
3. Gogo Nomvula Dlamini, 71, is a respected sangoma from Nongoma in KwaZulu-Natal and a member of HUM. She began her practice in 1973 after undergoing the traditional initiation process of ukuthwasa. For over five decades, she has run a community healing centre, training apprentices and collaborating with local clinics. Her practice, which encompasses divination, herbalism, and spiritual counselling, is deeply embedded in the cultural fabric of her community.
4. Gogo Khensani Mahlangu, now 18, from Giyani in Limpopo, is also a member of HUM. At the age of seven, Khensani began to experience recurring dreams of rivers, snakes, and elderly women dressed in white beads, visions her family later recognised as ancestral callings. After consultations with a local sangoma confirmed her spiritual calling to heal, she began her ukuthwasa at eleven. During her initiation, she was named Mahlath'amazwi, "the forest of voices", or her ability to discern ancestral messages in dreams. Recognised by her local council of elders, Khensani assists in community healing ceremonies.

5. On 7 January 2008, the President of the Republic of South Africa assented to The Traditional Health Practitioners Act 22 of 2007 (THPA). Its purpose was to establish the Interim Traditional Health Practitioners Council of South Africa, provide for the registration, training and practices of traditional health practitioners, and to serve and protect the interests of members of the public who use their services.
6. On 22 August 2011, the Minister of Health, in terms of section 7 of the THPA, made the Regulations Relating to the Appointment of Members of the Interim Traditional Health Practitioners Council of South Africa. These regulations detailed the process for nominating and appointing Council members, requiring public invitations for nominations, a vetting process by a selection panel, and the final publication of appointed members' names in the Government Gazette.
7. The first Interim Traditional Health Practitioners Council of South Africa was inaugurated in February 2013, following the procedures outlined in the 2011 Appointment Regulations. This Council was established as a temporary body to implement the Act and set up the regulatory framework for the profession.
8. The THPA commenced in phases. Key sections relating to the establishment and governance of the Interim Council came into effect on 1 May 2014. However, the full operationalisation of the Act was delayed for years, awaiting the finalisation of critical regulations that would detail registration requirements, scopes of practice, and disciplinary procedures.
9. The Healers United Movement (HUM) emerged during this period of legislative uncertainty. Its leadership, including Secretary-General Mr Tiyani Maredi, consistently argued that the delay in finalising the regulations reflected bureaucratic inertia and a lack of genuine political will to recognise their profession.

10. The Department of Health is not shy of criticism regarding the development of the Regulations. It attributed the delay to the difficulty of balancing constitutional imperatives, such as equality, access to healthcare, and respect for cultural diversity, within a single regulatory framework.
11. In May 2023, the Minister of Health invited new nominations for the appointment of the Interim Traditional Health Practitioners Council, in accordance with the 2011 Regulations. Seizing the opportunity for youth representation, HUM formally nominated the then 16-year-old Khensani Mahlangu for a position on the Council, citing her recognised standing as an apprentice healer and the need to include the perspectives of the new generation of practitioners.
12. The Minister of Health rejected Khensani Mahlangu's nomination. The rejection letter stated that, while her spiritual calling was noted, she did not meet the requirement of having "been in practice for not less than five years" as stipulated in section 7(c) of the THPA for practitioner members. HUM viewed this as a rigid and culturally insensitive interpretation that disqualified gifted healers identified through traditional pathways.
13. In a significant step towards formalising the practice, the Traditional Health Professional Regulations, 2024 were published in the Government Gazette for public comment on 21 June 2024. The Regulations aimed to fully operationalise the THPA of 2007.
14. In the lead-up to the finalisation of the Regulations, the Interim Traditional Health Practitioners Council of South Africa embarked on a national stakeholder engagement process in August 2024. The Department of Health maintained that these roadshows, publicised through community radio and district offices, reached all nine provinces and gathered substantial input.

15. HUM, disgruntled with the process, alleged that it received no formal invitation to participate and that many healers in remote rural areas were unaware of the roadshows. On 11 September 2024, HUM issued a public statement announcing marches under the slogan “Regulate don’t Westernise.”
16. The Interim Council responded on 13 September 2024, defending its engagement process. It asserted that it had used community radio, traditional councils, and health district offices to publicise its roadshows. The Council accused HUM of misrepresenting the facts and claimed that some of HUM’s leaders had been invited but declined to participate.
17. On 6 December 2024, HUM addressed a formal letter to the Minister of Health, alleging that the promulgation process had been procedurally flawed. It listed several grievances: exclusion of key stakeholders; the rejection of Khensani Mahlangu's nomination on what it deemed arbitrary grounds; the appointment of the Acting Registrar of the Council without consultation; and the absence of any feedback on public comments. HUM contended that the process violated constitutional values of transparency and accountability. It urged the Minister to withdraw the draft Regulations and restart consultations.
18. The Department did not provide a direct written reply to HUM’s letter but maintains that its silence did not signify disregard. It asserts that the comments received, including those from HUM, were considered by internal policy and legal teams as part of the Department’s submission to the Presidency. The Department contends that administrative processes do not require personal responses to every stakeholder submission.
19. On 20 February 2025, the Presidency’s Policy and Research Services (PRS) confirmed that it had completed its review of the Department’s submissions, including the socio-economic impact assessment (SEIAS). The PRS concluded that procedural requirements were satisfied, and the President of the Republic of South Africa signed



the Regulations into law.

20. After the comment period, the President of the Republic of South Africa signed the Regulations into law in March 2025, and they came into force on 1 April 2025. Under the new framework, traditional healers were required to register with the Interim Council, undergo specified training, and meet minimum age and education requirements to practice legally and issue medical certificates.
21. After the Regulations came into force, Gogo Dlamini decided she wanted to begin the formal process of registering with the Interim Council. After reviewing the requirements, she found the categories rigid and the paperwork prohibitive, feeling the new system disregarded her five decades of community-recognised practice.
22. The dispute has since extended beyond procedural concerns to questions of cultural recognition. HUM asserts that traditional healing is not merely a profession but a manifestation of collective cultural identity protected by sections 30 and 31 of the Constitution. It argues that by excluding authentic healers from shaping the rules that govern their calling, and by disqualifying a recognised apprentice like Khensani Mahlangu from Council representation, the State has intruded upon the community's cultural autonomy. The Respondents counter that the right to culture, while protected, must be balanced with the State's constitutional duty under section 27 to protect public health and regulate healthcare professions in the public interest.
23. HUM then launched an application in the High Court, contending that the promulgation of the Regulations was procedurally unfair, irrational, and inconsistent with both the Constitution and the Promotion of Administrative Justice Act 3 of 2000 ("PAJA"). The application also challenged the rejection of Khensani Mahlangu's nomination to the Council as an unreasonable and inflexible administrative action. The Respondents maintain that all legal obligations were fulfilled, that public participation was reasonable in scope, and that the Applicant's dissatisfaction stems

from policy disagreements rather than constitutional violations.

24. The High Court dismissed HUM's application on the 19th of September 2025. It held that the public participation process was adequate and that the Minister's decision regarding the Council nominations was not irrational.
25. HUM, representing the interests of Gogo Nomvula Dlamini, Khensani Mahlangu, and its thousands of members, now seeks to approach the Constitutional Court to appeal the decision of the High Court handed down on the 19th of September 2025.

**The parties are directed to make written submissions on the following issues to be argued before the Constitutional Court:**

- A. Whether the process leading to the promulgation of the Traditional Health Practitioners Regulations, 2024 complied with the requirements of procedural fairness and public participation as envisaged under section 33 of the Constitution and the Promotion of Administrative Justice Act 3 of 2000.
- B. Whether the Minister of Health, in promulgating the Regulations, acted within the scope of her powers under section 49 of the Traditional Health Practitioners Act, 2007 (Act No. 22 of 2007), and whether consultation with the Interim Traditional Health Practitioners Council of South Africa satisfied the statutory requirement of meaningful participation and consultation with relevant stakeholders.
- C. Whether the age thresholds, minimum educational requirements, and the obligation under the Traditional Health Practitioners Regulations, 2024, for all practitioners to register within prescribed categories unjustifiably limit the cultural and spiritual practices of traditional healers, as protected under sections 30 and 31 of the Constitution, and whether these have implication for section 18 right to freedom of association.

# COMPETITION RULES

## 1. GENERAL

The Public Interest Law Moot Court Competition aims to introduce law students to the practice of public interest litigation and develop their awareness of emergent human rights issues. This Competition is a collaboration between the Centre for Applied Legal Studies (CALS) and the Student Litigation Society (SLS).

### *About the Organisers*

The Centre for Applied Legal Studies (CALS) is a public interest law organisation based at the Wits School of Law. CALS is also a law clinic registered with the Legal Practice Council. As such, CALS connects the worlds of academia and social justice through research, advocacy, teaching and litigation.

The Student Litigation Society (SLS) advances practical legal education with the aim of equipping prospective legal practitioners and legal practitioners with the skills required in the legal profession.

## 2. ELIGIBILITY

### *Institutional Eligibility*

Only students from universities that enjoy full LLB accreditation by the South African Council on higher Education (CHE) are eligible to participate in the Competition.

### *Eligible classes of students*

Only students from second year onwards who are in the process of completing an LLB, BCom or BA Law degree at a South African university are eligible to participate in the Competition.

The following people are prohibited from taking part in the Public Interest Law Moot Court

## Competition:

- Students who are currently employed or otherwise associated with either CALS or SLS;
- Qualified legal practitioners; and
- Students who already hold an LLB or equivalent degree.

### **3. TEAM COMPOSITION**

Each participating team must comprise no fewer than two (2) students and must not exceed more than three (3) students. All members of the team must be students registered with the same university. If a team is found to be made up of one or more ineligible members, the entire team may be disqualified. The team members may be selected through any appropriate processes determined by their law school, law faculty or student moot society. There is no limitation on the number of teams that a law school, law faculty or student moot society may enter into the Competition.

### **4. HYPOTHETICAL CASE**

A hypothetical case will be provided by the Organisers and will be made available to participants in advance. The hypothetical case will be available on the CALS and SLS websites.

### **5. REQUESTS FOR CLARIFICATION**

Teams may request clarifications of the facts. These clarifications must be requested anytime for the duration of the competition through the use of the moot competition email address.

## 6. REGISTRATION

Prospective teams should express their interest to participate in the Competition by the close of business on **7 January 2026**. Teams must register on [our website](#).

Teams may register by sending an email to [pilmoot@mootcourt.co.za](mailto:pilmoot@mootcourt.co.za), only if they are struggling to access the online registration form.

Teams registering via email must send an email to the above email address detailing the university that is represented, the team members, the names of each the team members, the academic level (i.e. first year, second year, penultimate year or final year) of each of the team members, the team contact person and contact details.

## 7. WRITTEN SUBMISSIONS

### *Heads of Argument*

During the Preliminary round, each registered team must prepare and submit two sets of heads of argument, i.e. for both the Applicant and the Respondent. Heads of argument must be written in English and typed in Arial 12–point font, 2.0 line spacing and justified. All footnotes must be written in Arial 10–point font. The heads of argument must comply with the Rules of the Constitutional Court. All heads of argument must be filed electronically in PDF format without any passwords or encryptions. The heads of argument must be uploaded to the following address: [pilmoot@mootcourt.co.za](mailto:pilmoot@mootcourt.co.za).

**The deadline for the heads of argument is 22h00 on 10 January 2026.**

### *Supplementary Written Submissions*

Every team qualifying for the next round will be required to prepare and submit supplementary written submissions. These shall be based on directives to be issued closer to the date. The supplementary written submissions must be written in English and typed in Arial 12–point font, 2.0 line spacing and justified. All footnotes must be written in Arial 10–pointfont. The supplementary written submissions must comply with the Rules of the Constitutional Court. All

supplementary written submissions must be submitted electronically in PDF format without any passwords or encryptions. The supplementary written submissions must be submitted to the following email address: [pilmoot@mootcourt.co.za](mailto:pilmoot@mootcourt.co.za).

**The deadline for the supplementary written submissions is 22h00 on 17 February 2026**

## **8. DETERMINATION OF OPPOSING TEAMS**

A draw shall be conducted to determine which teams shall represent the Applicant and which teams shall represent the Respondent after the virtual oral round of the Competition. The Organisers of the Competition may modify the pairings in the best interests of the Competition. The Organisers of the Competition may subsequently modify the pairings to account for absent teams or other unforeseeable circumstances. Affected teams will be timeously notified of modifications and the reasons thereof.

## **9. ORAL SUBMISSIONS**

Only teams participating in the virtual oral round, semifinals and the final shall be required to prepare oral submissions.

### ***General Procedure***

The order of proceedings shall be: Applicant Team, Respondent Team, rebuttal by Applicant Team and surrebuttal by the Respondent Team. Time for rebuttal should be reserved in advance with the Court. Rebuttals may not exceed 5 minutes. The scope of a team's oral pleading is limited to the scope of its written submissions. The scope of the Applicant's rebuttal is limited to the scope of the Respondent's oral pleadings.

Judges may exercise their discretion whether to allow or not to allow surrebuttals.

### ***Virtual oral round***

The teams that make it through to the quarter finals will be required to prepare for oral submissions. Oral submissions for this round are scheduled for **13 –14 March 2026**.

The quarter finals will be held virtually on a platform that will be communicated closer to the date. All team members must act as oralists during this stage. Each team shall plead for no longer than 20 minutes including rebuttals. No team member shall be allowed to speak for more than 10 minutes. No team member shall be allowed to speak for less than 5 minutes. Adherence to time allocations shall be considered when determining the overall performance of a team. Presiding Officers may exercise their discretion in granting extra time to a team. Such extra time may not exceed 5 minutes in total. Time for rebuttals and surrebuttals must be reserved in advance.

### ***Semifinals***

The teams that make it through to the semifinals will be required to prepare for oral submissions on points *in limine* based on their supplementary written submissions. Oral submissions for this round are scheduled for **23 April 2026**.

All team members must act as oralists during this stage. Each team shall plead for no longer than 20 minutes including rebuttals. No team member shall be allowed to speak for more than 10 minutes. No team member shall be allowed to speak for less than 5 minutes. Adherence to time allocations shall be considered when determining the overall performance of a team. Presiding Officers may exercise their discretion in granting extra time to a team. Such extra time may not exceed 5 minutes in total. Time for rebuttals and surrebuttals must be reserved in advance.

### ***Final***

The teams that make it through to the final will be required to prepare for oral submissions on the merits based on the heads of argument. Oral submissions for this round are scheduled for **24 April 2026**.

All team members must act as oralists during this stage. Each team shall plead for no longer than 30 minutes including rebuttals. The time spent responding to judges' questions are included in the allocated 30 minutes. No team member shall be allowed to speak for more

than 15 minutes. No team member shall be allowed to speak for less than 5 minutes. Adherence to time allocations shall be considered when determining the overall performance of a team. Presiding Officers may exercise their discretion in granting extra time to a team. Such extra time may not exceed 5 minutes in total. Time for rebuttals and surrebuttals must be reserved in advance.

## **10. *EX PARTE* PROCEEDINGS**

Where a team fails to arrive for the quarter finals/semifinals and/or the finals, the Organisers, after waiting for ten minutes, have the discretion to either announce a new team against which the other team will argue, or allow the round to proceed *ex parte*. In such a case, the team that fails to arrive for the scheduled round shall forfeit all of the round's points. If good cause is shown, the Organisers may arrange for an additional round for the absent team later during the Competition, if time and administrative concerns permit.

The waiting time for the virtual rounds may be less than 10 minutes and the Organisers may exercise discretion in that regard.

## **11. COMPLAINTS**

All teams are welcome to lodge complaints if they believe that a rule has been violated during a particular session. The complaints must be submitted as soon as possible after the session where the rule may have been violated. No complaints of such nature will be entertained if the Competition has reached the finals. The Organisers will decide the penalties applicable. The Organisers may decide to disqualify a team at any time if any violation of the rules is brought to their attention. Teams are also allowed to submit any other complaint regarding the organisation of the Competition during any stage of the Competition.

## **12. DISQUALIFICATION AND PENALTIES**

The Organisers may disqualify or penalise a team for:

- Late submission of heads of argument;



- Failure to comply with the requirements for the heads of argument;
- Engaging in poor sportsmanship, dishonesty and misconduct; and
- Frivolous complaints or participating contrary to the spirit and aim of the Competition.

The Organisers of the Competition reserve the right to determine appropriate penalties on consideration of the infringement.

### **13. INTERPRETATION**

Any dispute that arises during the Competition that concerns the interpretation and application of these rules, or the general administration of the Competition, will be resolved by the Organisers. All decisions of the Organisers concerning questions of the interpretation and application of rules are final. Any queries relating to the Competition and its administration must be directed to the following email: [pilmoot@mootcourt.co.za](mailto:pilmoot@mootcourt.co.za).

The Organisers, in interpreting the Rules, may promulgate such other measures as may be deemed advisable for the orderly conduct of the Competition, provided that these measures do not violate the spirit of such Rules. The Organisers reserve the right to change any rule in the Competition. All participants will be informed in advance of any changes.

# COMPETITION TIMELINE

10 November 2025	Open Registrations & Launch Open Masterclass
11 November 2025	Registration opens Clarification seeking period begins
7 January 2026	Registration closes Clarification seeking period ends

## PRELIMINARY ROUND

10 January 2026	Deadline for written submissions
15 January 2026	Release of shortlist of top 32 teams Court directives issued
17 February 2026	Deadline for supplementary written submissions

## QUARTER FINALS (Virtual oral round)

24 February 2026	Announcement of quarter finalists
26 February –	
12 March 2026	Masterclasses
13–14 March 2026	Virtual Oral Rounds (Quarter Finals)

## GRAND FINALE (semi-finals and final)

20 March 2026	Announcement of semi-finalists
23–24 April 2026	Semi-finals and final

# CONTACT INFORMATION

Please feel free to contact us at [pilmoot@mootcourt.co.za](mailto:pilmoot@mootcourt.co.za) if you have any queries.

Follow [#PILMOOT](#) on Twitter or Facebook for the latest news and developments.

Also follow @SLS and @CALS\_ZA on twitter

Register to participate in the PILMOOT Competition [here](#).

Enrol for the PILMOOT Course [here](#).

