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Turnitin

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### Your assignment

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submit paper: by file upload (step 1 of 2)

choose a paper submission method:
- single file upload

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The paper you are submitting will not be added to any paper repository.

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cancel, go back
Provide a critical account of one assessment strategy you use to assess student performance in relation to the learning outcomes of a particular module or programme.

Alex Chapman
Student Number: MU0301106
Word Count: 2168

Assessment is an important measure of students' achievement and understanding, yet it has long been recognised that assessment also has an undue influence on student learning, (Snyder 1971; Ramdsen 2003). Assessment often becomes the predominant focus of student learning activity, shaping the way students study and engage with curricula. This was highlighted in a study of...
Digital receipt

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Paper title: coursework

Paper ID: 7425792

Author: Bloggs, Jane

Understand the Web for Research and Learning

Understand the Web for Research and Learning

Objectives
Digital receipt
# Originality Reports

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**Assignment Title**: testing  
**Assignment Instructions**:  
**Search Criteria**: internet, TurnitinUK student paper database, periodicals, journals, & publications  
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**Paper Title**

**Submission Title**

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The assertion put forward is open to interpretation, as every system, contains its respective advantages and flaws. Therefore, rigidity versus flexibility in the doctrine of precedent also includes factors which can be observed as strengths and weaknesses of the system. Under typical circumstances, inferior courts under the Court of Appeal and House of Lords (now Supreme Court under Constitutional Reform Act 2005) are bound to follow previous decisions, especially if higher in standing; known as 'stare decisis'. The 'Ratio Decendis' is the core reasoning, whereby the judge is subsequently bound by previous decisions. In Donaghue v Stevenson, the Court was conflicted by whether a duty of care was owed by a third party to a consumer. The House of Lords departed from previous rules and created the 'tort of negligence' according to the 'neighbour rule'. Consequently, this case highlighted flexibility as a strength in judicial precedent.

Moreover, the House of Lords possess the most flexibility in departing from previous binding precedent (e.g. London Street Trams v London C.C., the House of Lords found it was bound by its previous decisions) due to the Practice Statement;

"their Lordships regard the use of precedent as an indispensable foundation upon which to decide what is the law and its' application to individual cases. It provides some degree of certainty upon which individuals can rely in the conduct of their affairs...a basis for orderly development of legal rules..."

Their Lordships nevertheless recognize that too rigid adherence to precedent may lead to injustice...restricts proper development of the law.

The first case whereby the Practice Statement was used by the House of Lords was that of British Railways Board v Herrington. This case concerned a child who was gravely injured after passing through a gap in the fence onto electric rail lines. The Board argued no duty of care was offered or present, however, attitudes had changed by this period and the Lords overruled the standing binding precedent; Addie v Dumbreck. This presents the notion that in exceptional circumstances, rigid precedents are inapplicable to new situations and may lead to injustices although similar in principle, which purports rigidity as a weakness in this light. This was also the case in 'Spectrum Ltd', yet whether rigidity is viewed as a weakness is dependent on one's perspective. Notions of rigidity provide strength in certainty and predictability to the result of previous real life scenarios similar to...
Turnitin Top Tips

• Only submit to the appropriate Turnitin assignment drop box, never submit on behalf of friend or to another module.

• Read your Module handbooks for assessment guidelines/criteria.

• Don’t rely on the overall % look in detail at the report.

• Make sure you are referencing and citing correctly, don’t rely on Turnitin for original sources.

• Make good use of Feedback you receive.

• Don’t panic use Turnitin as a opportunity to develop.
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Library Guides
http://libguides.mdx.ac.uk/plagiarismreferencing

Webhelpdesk

By phone +44 (0)20 8411 6060
(8am - 9pm Monday to Friday and between 9am - 9pm Saturday and Sunday)

By email webhelpdesk@live.mdx.ac.uk